CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.kirklandwa.gov

ADVISORY REPORT
FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS

To: Kirkland Hearing Examiner

From: Tony Leavitt, Project Planner

Eric Shields, AICP, Planning Director

Date: September 26, 2012

File: **MOMCO PRELIMINARY SUBDIVISION, FILE NO. SUB12-00382**

Hearing Date and Place: October 4, 2012
City Hall Council Chamber
123 Fifth Avenue, Kirkland

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I. INTRODUCTION

A. APPLICATION

1. Applicant: Paul Lymberis of Toll WA LP. for Momco Investments LP, Property Owner
2. Site Location: 12820 136TH Avenue NE (See Attachment 1)
3. Request: Proposal to subdivide one 204,356 square foot parcel (4.69 acres) into 26 separate lots (see Attachment 2). Lots range in size from 5,100 square feet to 8,854 square feet. Access to lots will be provided via a new access road from 136th Avenue NE.
4. Review Process: Process IIA, Hearing Examiner conducts public hearing and makes final decision on Preliminary Subdivision.
5. Summary of Key Issues
   a. Compliance with Kirkland Municipal and Zoning Code Approval Criteria (see Section II.D).
   b. Applicable Development Regulations (see Section II.E.2).

B. RECOMMENDATIONS

Based on Statements of Fact and Conclusions (Section II), and Attachments in this report, we recommend approval of this application subject to the following conditions:

1. This application is subject to the applicable requirements contained in the Kirkland Municipal Code, Zoning Code, and Building and Fire Code. It is the responsibility of the applicant to ensure compliance with the various provisions contained in these ordinances. Attachment 3, Development Standards, is provided in this report to familiarize the applicant with some of the additional development regulations. This attachment does not include all of the additional regulations. When a condition of approval conflicts with a development regulation in Attachment 3, the condition of approval shall be followed.
2. The applicant shall comply with the applicable tree retention requirements of KZC Chapter 95. The tree retention conditions as outlined in Attachment 3 shall be followed (See Conclusion II.E.1).
3. As part of the land surface modification, the applicant shall install a public pedestrian walkway from NE 128th Street to the proposed access road and from the proposed access road between Lots 7 and 8 to the north property line of the subject property. The final plat recording mylar shall include a public pedestrian easement that encompasses the walkway (See Conclusion II.E.2).

II. FINDINGS OF FACT AND CONCLUSIONS

A. SITE DESCRIPTION

1. Site Development and Zoning:
   a. Facts:
      (1) Size: 204,356 Square Feet (4.69 acres)
      (2) Land Use: The subject property contains a single family residence and accessory structures. These structures are proposed to be removed as part of the proposal.

(3) Zoning:

(a) RSA 6, Residential single-family with a maximum density of 6 units per acre and a minimum lot size of 5,100 square feet.

(b) The proposed density is 5.54 units per acre and all lots meet the minimum lot size of 5,100 square feet.

(4) Terrain: The site slopes significantly from 136th Avenue NE to the east property line and the southeast corner of the site.

(5) Vegetation: The site contains approximately 98 significant trees.

b. Conclusions: Size, land use, zoning and terrain are not constraining factors in the review of this application. Retention of significant trees is addressed in Section II.E.

2. Neighboring Development and Zoning:

a. Facts: The neighboring properties are zoned as follows and contain the following uses:

North and East: Zoned RSA 6, Single-family residences
West: Zoned RSA 8, Single-family residences
South: TL 7, Industrial Park

a. Conclusion: The neighboring development and zoning are not factors in the review of this application.

B. PUBLIC COMMENT

1. Facts:

The initial public comment period for this application ran from June 29th to July 26th. No letters were received during this initial comment period or prior to drafting of this report.

C. STATE ENVIRONMENTAL POLICY ACT (SEPA) & CONCURRENCY

1. Facts:

a. A Determination of Nonsignificance (DNS) was issued on August 29, 2012. The Environmental Determination is included as Attachment 4.

b. The project passed Traffic Concurrency on May 11, 2012 (see Attachment 5).

2. Conclusion: The applicant and the City have satisfied the requirements of SEPA and Concurrency.

D. APPROVAL CRITERIA

1. PRELIMINARY PLATS

a. Facts: Kirkland Municipal Code section 22.12.230 states that the Hearing Examiner may approve a proposed plat only if:

(1) There are adequate provisions for open spaces, drainage ways, rights-of-way, easements, water supplies, sanitary waste, power service, parks, playgrounds, and schools; and

(2) It will serve the public use and interest and is consistent with the public health, safety, and welfare. The Hearing Examiner shall be guided by the policy and standards and may exercise the powers and authority set forth in RCW 58.17.

(3) Zoning Code section 150.65 states that the Hearing Examiner may approve a proposed plat only if it is consistent with the all applicable development regulations, including but not limited to the Zoning Code and Subdivision Code, and to the extent there is no applicable development regulation, the Comprehensive Plan.

b. Conclusion: The proposal complies with Municipal Code section 22.12.230 and Zoning Code section 150.65. It is consistent with the Comprehensive Plan (see Section II.F). With the recommended conditions of approval, it is consistent with the Zoning Code and Subdivision regulations (see Sections II.D & E) and there are adequate provisions for open spaces, drainage ways, rights-of-way, easements, water supplies, sanitary waste, power service, parks, playgrounds, and schools. It will serve the public use and interest and is consistent with the public health, safety, and welfare because the proposal will create infill residential development while meeting the goals of the Comprehensive Plan.

E. DEVELOPMENT REGULATIONS

1. Natural Features - Significant Vegetation

a. Facts:

(1) Regulations regarding the retention of trees can be found in Chapter 95 of the Kirkland Zoning Code. The applicant is proposing phased review pursuant to Section 95.30.6.a.

(2) The applicant submitted an arborist report and tree inventory (see Attachment 6) that was reviewed by the City's Urban Forester. The City's Urban Forester agreed with the assessment of the trees.

(3) There are 73 viable trees on the site, 10 of which are High Retention Value trees and 63 of which are Moderate Retention Value trees.

(4) Attachment 3, Development Standards, outlines the tree retention requirements.

b. Conclusions: The applicant should comply with the applicable tree retention requirements of KZC Chapter 95. The tree retention conditions as outlined in Attachment 3 should be followed.

2. Public Pedestrian Easement and Walkway

a. Facts:

(1) KMC section 22.28.170 establishes that the City may require the installation of pedestrian walkways by means of dedicated rights-of-ways, tracts, or easements if a walkway is indicated as appropriate in the comprehensive plan, if it is reasonable necessary provide efficient pedestrian access to a designated activity center of the city, or if blocks are unusually long.

(2) KZC section 105.19.1 states that the City may require the applicant to install pedestrian walkways for use by the general public on the subject property and dedicate public pedestrian access rights in any of the following circumstances where the walkway is reasonably necessary as a result of the development activity:

- A pedestrian connection is indicated as appropriate in the Comprehensive Plan or Nonmotorized Transportation Plan; or designated elsewhere in this code; or
- A walkway is reasonably necessary to provide efficient pedestrian access to a designated activity center of the City or to transit; or
- A through-block pedestrian pathway where specifically required in Design Districts; or
- A through-block pedestrian pathway if blocks are unusually long; or
- Pedestrian access is necessary to connect between existing or planned dead-end streets, through streets, or other pedestrian access.

(3) The Public Works Department has concluded that a midblock pedestrian access is necessary as there is no north and south right-of-way east of 136th Avenue NE.

(4) The proposed plans show a pedestrian access easement from NE 128th Street thru Tract B to the end of the proposed access road. The Public Works Department has outlined the specific design requirements in Attachment 3.

(5) The Public Works Department recommends that the applicant also construct a 10 ft. wide pedestrian easement with an 8 ft. wide walkway between lots 7 and 8 to provide a pedestrian connection to the planned subdivision to the north. The proposed pedestrian easement will be located over a storm drainage easement that is being required as part of this plat.

b. Conclusion:

(1) Pursuant to KMC section 22.28.170 and KZC Section 105.19.1, a midblock pedestrian access should be constructed as recommended by the Public Works Department, since the block east of 136th Avenue NE is unusually long.

(2) As part of the land surface modification, the applicant should install a public pedestrian walkway from NE 128th Street to the proposed access road and from the proposed access road between Lots 7 and 8 to the north property line of the subject property. The final plat recording mylar shall include a public pedestrian easement that encompasses the walkway.

F. COMPREHENSIVE PLAN

1. Fact: The subject property is located within the Kingsgate neighborhood. The Comprehensive Land Use Map designates the subject property for low density residential at 6 units per acre.

2. Conclusion: The proposal is consistent with the low density residential use designation within the Comprehensive Plan

G. DEVELOPMENT STANDARDS

1. Fact: Additional comments and requirements placed on the project are found on the Development Standards, Attachment 3.

2. Conclusion: The applicant should follow the requirements set forth in Attachment 3.

III. SUBSEQUENT MODIFICATIONS

Modifications to the approval may be requested and reviewed pursuant to the applicable modification procedures and criteria in effect at the time of the requested modification.

IV. APPEALS AND JUDICIAL REVIEW

The following is a summary of the deadlines and procedures for appeals. Any person wishing to file or respond to an appeal should contact the Planning Department for further procedural information.

A. APPEALS

1. Appeal to City Council:

   Section 150.80 of the Zoning Code allows the Hearing Examiner's decision to be appealed by the applicant and any person who submitted written or oral testimony or comments to the Hearing Examiner. A party who signed a petition may not appeal unless such party also submitted independent written comments or information. The appeal must be in writing and must be delivered, along with any fees set by ordinance, to the Planning Department by 5:00 p.m., _____, fourteen (14) calendar days following the postmarked date of distribution of the Hearing Examiner's decision on the application.

B. JUDICIAL REVIEW

Section 150.130 of the Zoning Code allows the action of the City in granting or denying this zoning permit to be reviewed in King County Superior Court. The petition for review must be filed within 21 calendar days of the issuance of the final land use decision by the City.

V. LAPSE OF APPROVAL

Under Section 22.16.130 of the Subdivision Ordinance, the owner must submit a final plat application to the Planning Department, meeting the requirements of the Subdivision Ordinance and the preliminary plat approval, and submit the final plat for recording, within four years following the date the preliminary plat was approved or the decision becomes void; provided, however, that in the event judicial review is initiated per Section 22.16.110, the running of the four years is tolled for any period of time during which a court order in said judicial review proceeding prohibits the recording of the plat.

VI. APPENDICES

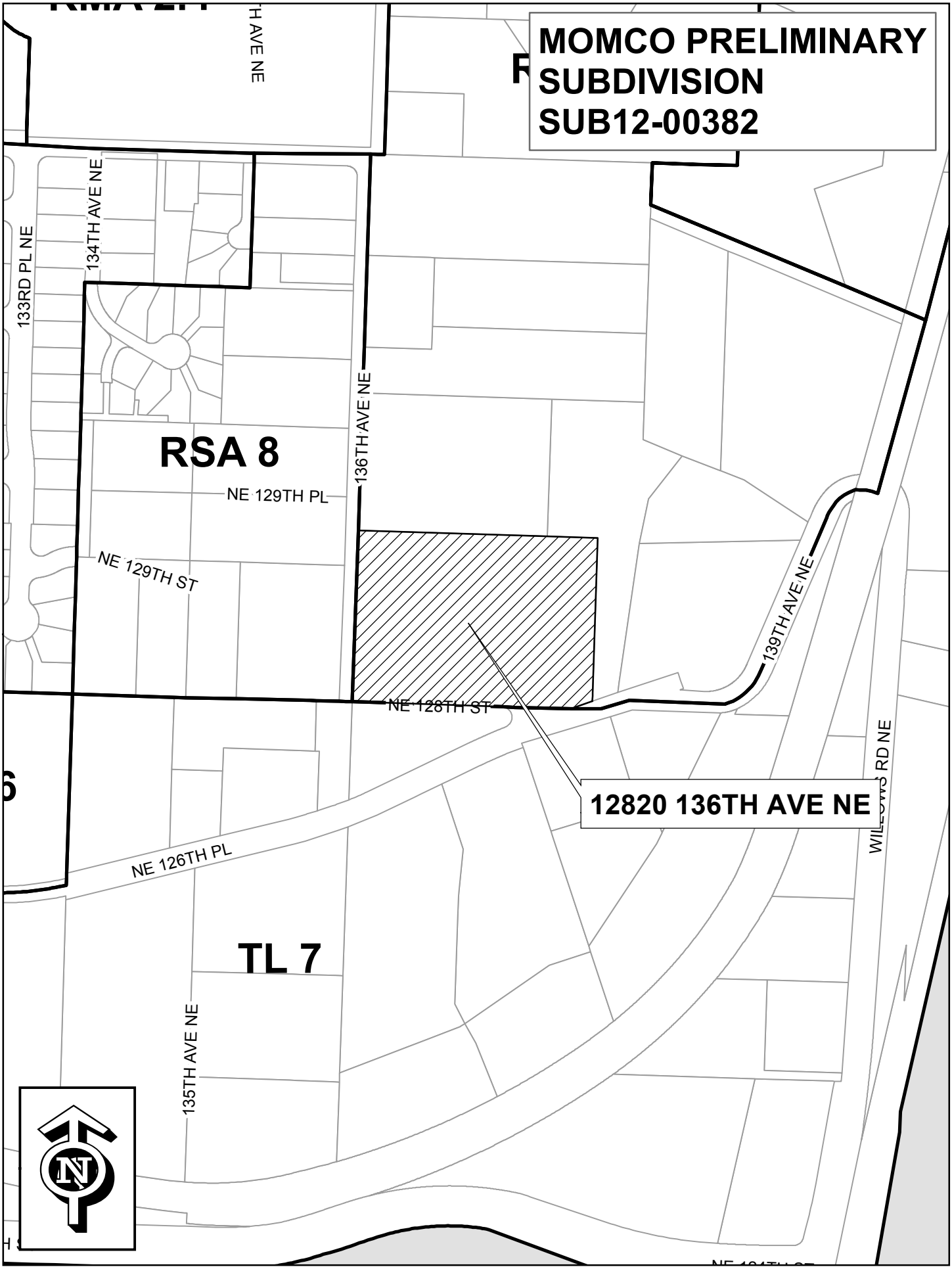
Attachments 1 through 6 are attached.

1. Vicinity Map
2. Development Plans
3. Development Standards
4. SEPA Determination
5. Traffic Review Memo
6. Arborist Report prepared by Washington Forestry Consultants Inc.

VII. PARTIES OF RECORD

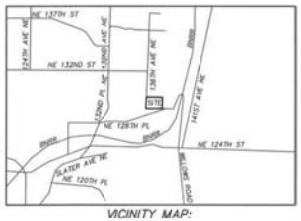
Applicant
Parties of Record
Department of Planning and Community Development
Department of Public Works
Department of Building and Fire Services

A written decision will be issued by the Hearing Examiner within eight calendar days of the date of the open record hearing.


MOMCO PRELIMINARY
SUBDIVISION
SUB12-00382
134TH AVE NE
133RD PL NE
136TH AVE NE
RSA 8
NE 129TH PL
NE 129TH ST
139TH AVE NE
NE 128TH ST
12820 136TH AVE NE
NE 126TH PL
TL 7
135TH AVE NE
N

NW 1/4 SECTION 27, TOWNSHIP 26 N, RANGE 5 E, W.M.

MOMCO PROPERTY



VICINITY MAP:
SCALE 1"=2000'

PROJECT DESCRIPTION:

ADDRESS OF THE PROPERTY:...12820 136TH AVENUE NE
PARCEL NUMBER:.....2726059033
EXISTING ZONING:.....RSA-6
PROPOSED DWELLING UNITS:.....26
ACREAGE:.....4.6914 ACRES (204,356 SQ. FT.) GROSS
R.O.W. AREA:.....33,153 SQ. FT.
PROPOSED USE:.....SINGLE FAMILY DETACHED HOUSING
SEWER DISTRICT:.....NORTHSHORE UTILITY DISTRICT
WATER DISTRICT:.....WOODINVILLE WATER DISTRICT
SCHOOL DISTRICT:.....LAKE WASHINGTON NO 414
TELEPHONE SERVICE:.....VERIZON
POWER SOURCE:.....PUGET SOUND ENERGY

PROJECT CONTACTS:

APPLICANT/OWNER:.....TOLL WA, LP
.....9720 NE 120TH PLACE, SUITE 100
.....KIRKLAND, WASHINGTON 98034
.....CONTACT: PAUL LIMBERIS
.....(425) 825-1955

ENGINEER/SURVEYOR:.....D.R. STRONG CONSULTING ENGINEERS
.....10604 NE 38TH PLACE, SUITE 101
.....KIRKLAND, WASHINGTON 98033
.....CONTACT: MAHER A. JOUDI, P.E.
.....(425) 827-3063

SITE PLAN NOTES

1. AREA ON LOT 21 DELINEATED BY DASHED LINE IS A SIGHT DISTANCE EASEMENT, NO STRUCTURES OR VEGETATION OVER 12" TALL IN THIS AREA.
2. CITY HAS REQUESTED A PEDESTRIAN CONNECTION BETWEEN CUL DE SAC AND NE 126TH PLACE. GRAVEL AND RAILROAD TIE STAIRWAY TO BE INSTALLED.

TYPICAL BUILDING SETBACKS

UNLESS OTHERWISE NOTED, BUILDING SETBACKS ARE AS FOLLOWS:

FRONT YARD SETBACK:	20 FEET
SIDE YARD SETBACK:	5 FEET
STREET SIDE YARD SETBACK:	5 FEET
REAR SETBACK:	10 FEET

LEGAL DESCRIPTION:

THAT PORTION OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 26 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE NORTH 89°41'27" EAST ALONG THE SOUTH LINE THEREOF 570 FEET; THENCE NORTH 00°22'03" WEST 408.44 FEET; THENCE SOUTH 89°41'27" WEST 570 FEET TO THE WEST LINE OF SAID SUBDIVISION; THENCE ALONG SAID WEST LINE SOUTH 00°22'03" EAST 408.44 FEET TO THE POINT OF BEGINNING;

EXCEPT THE SOUTH 30 FEET AND THE WEST 30 FEET THEREOF;

(ALSO KNOWN AS THE WEST 540.00 FEET OF LOTS 6 AND 7, BLOCK 172 BURK & FARRARS KIRKLAND ADDITION TO THE CITY OF SEATTLE, DIVISION NO. 38, UNRECORDED)

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

VERTICAL DATUM:

NAVD 88 PER CITY OF KIRKLAND VERTICAL CONTROL

BENCHMARK:

CITY OF KIRKLAND CONTROL POINT NUMBER 53.
FOUND 4"x4" CONCRETE MONUMENT WITH TACK IN LEAD PLUG DOWN 0.7' IN MONUMENT CASE AT THE INTERSECTION OF 132ND AVENUE NE, AND NE. 132ND STREET. AKA THE NORTHWEST CORNER OF SECTION 27-26-5. ELEVATION=310.16 FEET.

TEMPORARY BENCHMARK:
SET MAG NAIL IN UTILITY POLE ON THE SOUTHWEST FACE OF POLE, WITH ORANGE FLAGGING, LOCATED AT THE SOUTHWEST PORTION OF THE SITE, ON THE EASTSIDE, NORTH OF THE SOUTHWEST DRIVEWAY TO HOUSE NUMBER 12820 136TH AVE NE. ELEVATION=245.00 FEET.

SHEET INDEX:

C1 OF 8 COVER SHEET
C2 OF 8 CONCEPTUAL ROAD & GRADING PLAN
C3 OF 8 CONCEPTUAL UTILITY PLAN
C4 OF 8 CONCEPTUAL ROAD PROFILES
C5 OF 8 CONCEPTUAL ROAD PROFILES
C6 OF 8 CONCEPTUAL ROAD PROFILES
C7 OF 8 TREE RETENTION PLAN
C8 OF 8 TREE REPLACEMENT PLAN

NORTH

GRAPHIC SCALE
0 15 30 60
1 INCH = 30 FT.

BASIS OF BEARINGS:

N01°32'35"E BETWEEN THE MONUMENTS FOUND AT THE WEST QUARTER AND NORTHWEST QUARTER CORNER OF SECTION 27-26-5 PER CITY OF KIRKLAND CONTROL POINTS 53 AND 47

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MOMCO PROPERTY

COVER SHEET
12820 136TH AVENUE NE
KIRKLAND, WASHINGTON

TOLL WA, LP

9720 NE 120TH PL, SUITE 100
KIRKLAND, WA 98034
(425) 825-1955

DATE	REVISION	APR

MAY 22, 2012

DRAFTED BY: YLP
DESIGNED BY: MAJ
PROJECT ENGINEER: MAJ
DATE: 05.22.12
PROJECT NO.: 12014
SHEET C1 OF 8

NW 1/4 SECTION 27, TOWNSHIP 26 N, RANGE 5 E, W.M.

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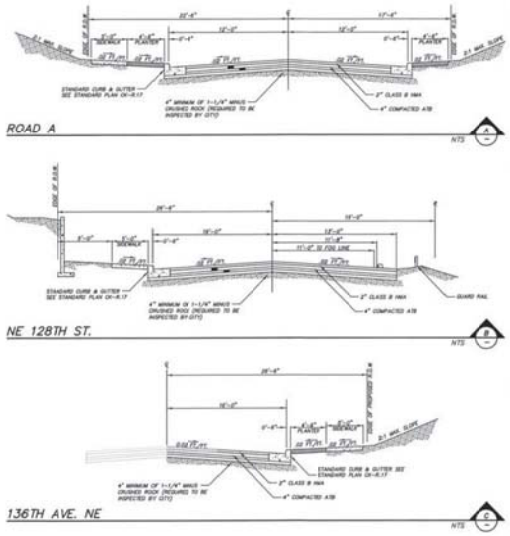

NORTH

GRAPHIC SCALE

0 15 30 60

1 INCH = 30 FT.

BASIS OF BEARINGS:

N01°32'35"E BETWEEN THE MONUMENTS FOUND AT THE WEST QUARTER AND NORTHWEST QUARTER CORNER OF SECTION 27-26-5 PER CITY OF KIRKLAND CONTROL POINTS 53 AND 47

VERTICAL DATUM:

NAVD 88 PER CITY OF KIRKLAND VERTICAL CONTROL

BENCHMARK:

CITY OF KIRKLAND CONTROL POINT NUMBER 53.
FOUND 4"x4" CONCRETE MONUMENT WITH TACK IN LEAD PLUG DOWN 0.7' IN MONUMENT CASE AT THE INTERSECTION OF 132ND AVENUE NE. AND NE. 132ND STREET. AKA THE NORTHWEST CORNER OF SECTION 27-26-5, ELEVATION=310.18 FEET.

TEMPORARY BENCHMARK:
SET MAG NAIL IN UTILITY POLE ON THE SOUTHWEST FACE OF POLE, WITH ORANGE FLAGGING, LOCATED AT THE SOUTHWEST PORTION OF THE SITE, ON THE EASTSIDE, NORTH OF THE SOUTHWEST DRIVEWAY TO HOUSE NUMBER 12820 136TH AVE NE. ELEVATION=245.00 FEET.

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CONCEPTUAL ROAD & GRADING PLAN

12820 136TH AVENUE NE
KIRKLAND, WASHINGTON

TOLL WA, LP

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KIRKLAND, WA 98034
(425) 825-1965

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SHEET C2 OF 8

NW 1/4 SECTION 27, TOWNSHIP 26 N, RANGE 5 E, W.M.

MOMCO PROPERTY

UTILITY NOTES

1. 10' JOINT UTILITY EASEMENT ON ALL LOTS FRONTING RIGHT-OF-WAY.
2. SANITARY SEWER STUBS FOR LOTS 24, 25 AND 26 ARE TO BE 6" DI PIPE AND ENCASED IN A 12" DI SLEEVE UNDER CIP WALL.
3. STORM STUB CONNECTION UNDER CIP WALL SHALL BE 6" DI ENCASED IN 12" DI SLEEVE.
4. SEWER DISTRICT IS NORTHSHORE UTILITY DISTRICT, WATER DISTRICT IS WOODINVILLE WATER DISTRICT. ON DAYLIGHT LOTS, UPPER FLOOR MUST GRAVITY AND INTERNAL GRINDER PUMPS ARE ALLOWED PER NUD, HOWEVER, WOULD PREFER ALL LEVELS TO GRAVITY IF FEASIBLE.
5. COMBINED DETENTION/WATER QUALITY VAULT SPECIFICATIONS.

FG ON TOP OF VAULT:	182.0
TOP OF VAULT LID:	180.0
TOP OF LIVE STORAGE:	178.5
TOP OF DEAD STORAGE:	167.5
BOTTOM OF DEAD STORAGE:	163.5
INSIDE BOTTOM OF VAULT:	162.5
LIVE STORAGE REQUIRED:	63,119 C.F.
LIVE STORAGE PROVIDED:	66,500 C.F.
DEAD STORAGE REQUIRED:	18,614 C.F.
DEAD STORAGE PROVIDED:	24,220 C.F.

VAULT DESIGN ASSUMED HISTORIC CONDITIONS FOR PREDEVELOPED HYDROLOGY

6. A MEDIA FILTER WATER QUALITY SYSTEM MAY BE REQUIRED TO TREAT BYPASS AREA IN NE 128TH STREET. PENDING CITY DECISION.
7. UTILITIES AS SHOWN ARE CONCEPTUAL IN NATURE. ADDITIONAL STRUCTURES, BENDS AND APPURTANCES MAY BE REQUIRED.
8. ILLUMINATION WILL BE REQUIRED ALONG NE 128TH STREET, 136TH AVENUE NE AND THE NEW SUBDIVISION ROAD. ILLUMINATION MAY ALSO BE REQUIRED ALONG THE NEWLY CONSTRUCTED PORTION OF NE 126TH PLACE. NO DESIGN AT THIS TIME.
9. POWER POLES ALONG NE 128TH STREET MUST BE RELOCATED. POWER POLES ALONG 136TH AVENUE NE APPEAR TO FALL WITHIN PROPOSED PLANTER STRIP AND AT ADEQUATE GRADE TO BE RETAINED IN PLACE. NO UNDERGROUNDING ALONG 128TH AND 136TH IS REQUIRED PER CITY OF KIRKLAND PRE APP MINUTES.

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CONCEPTUAL UTILITY PLAN

12820 136TH AVENUE NE
KIRKLAND, WASHINGTON

TOLL WA, LP

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(425) 828-1905

DATE	REVISION	APR

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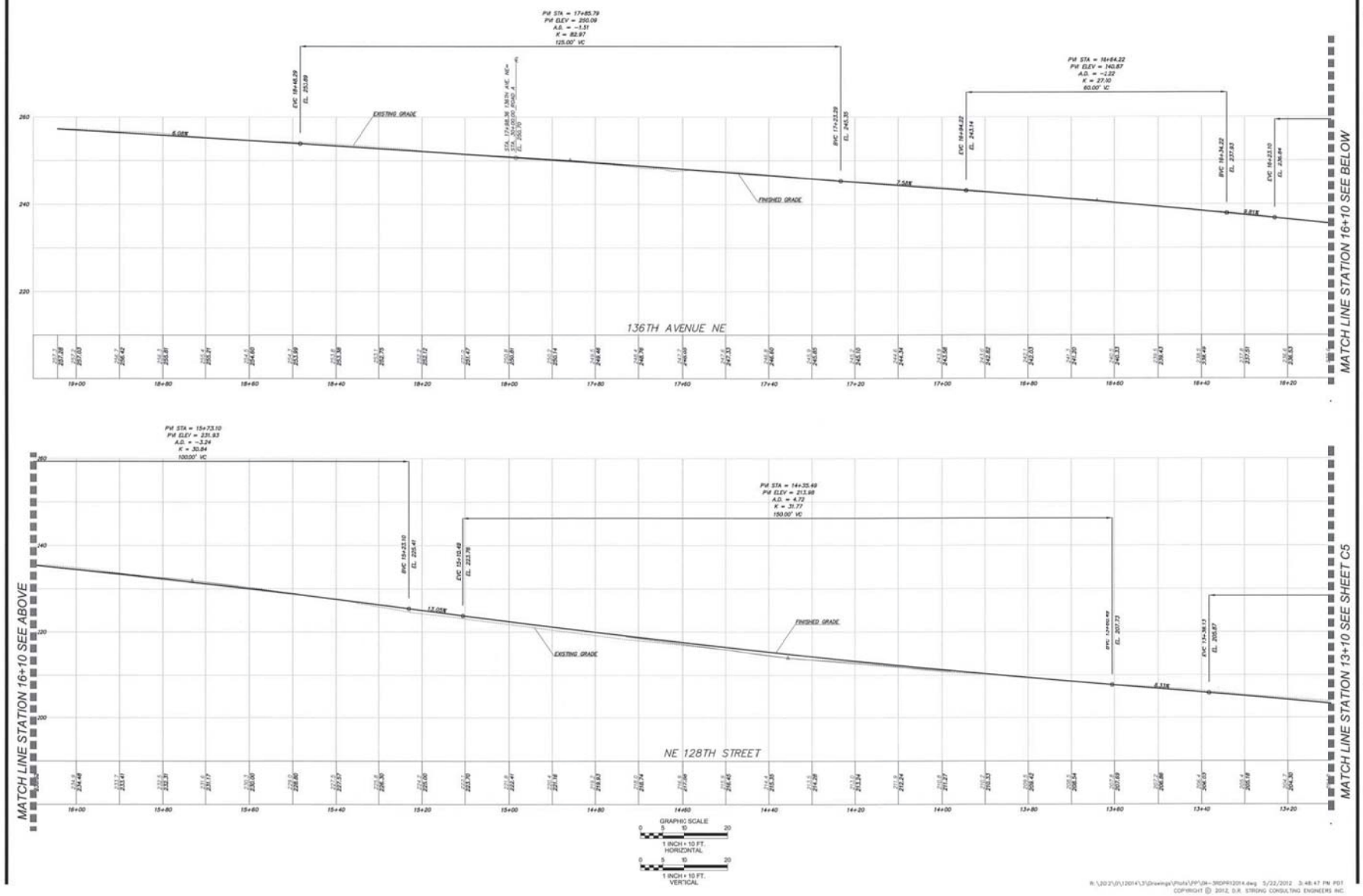

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CONCEPTUAL ROAD PROFILES
12820 136TH AVENUE NE
KIRKLAND, WASHINGTON

TOLL WA, LP

9720 NE 120TH PL, SUITE 100
KIRKLAND, WA 98034
(425) 825-1955

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DRAFTED BY: YLP
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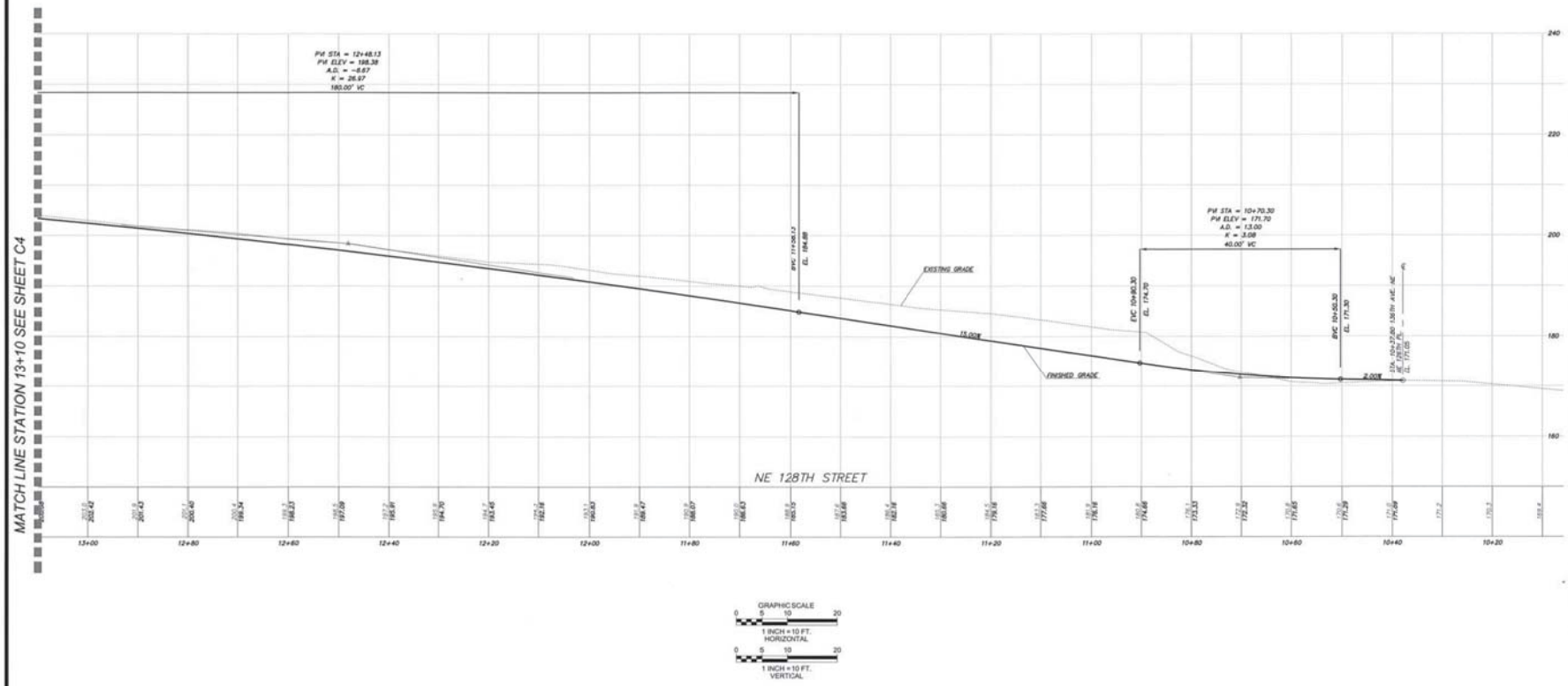

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MOMCO PROPERTY

CONCEPTUAL ROAD PROFILES

12820 136TH AVENUE NE
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TOLL WA, LP

9720 NE 120TH PL, SUITE 100
KIRKLAND, WA 98034
(425) 825-1905

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MAY 22, 2012

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DATE: 05.22.12
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SHEET C5 OF 8

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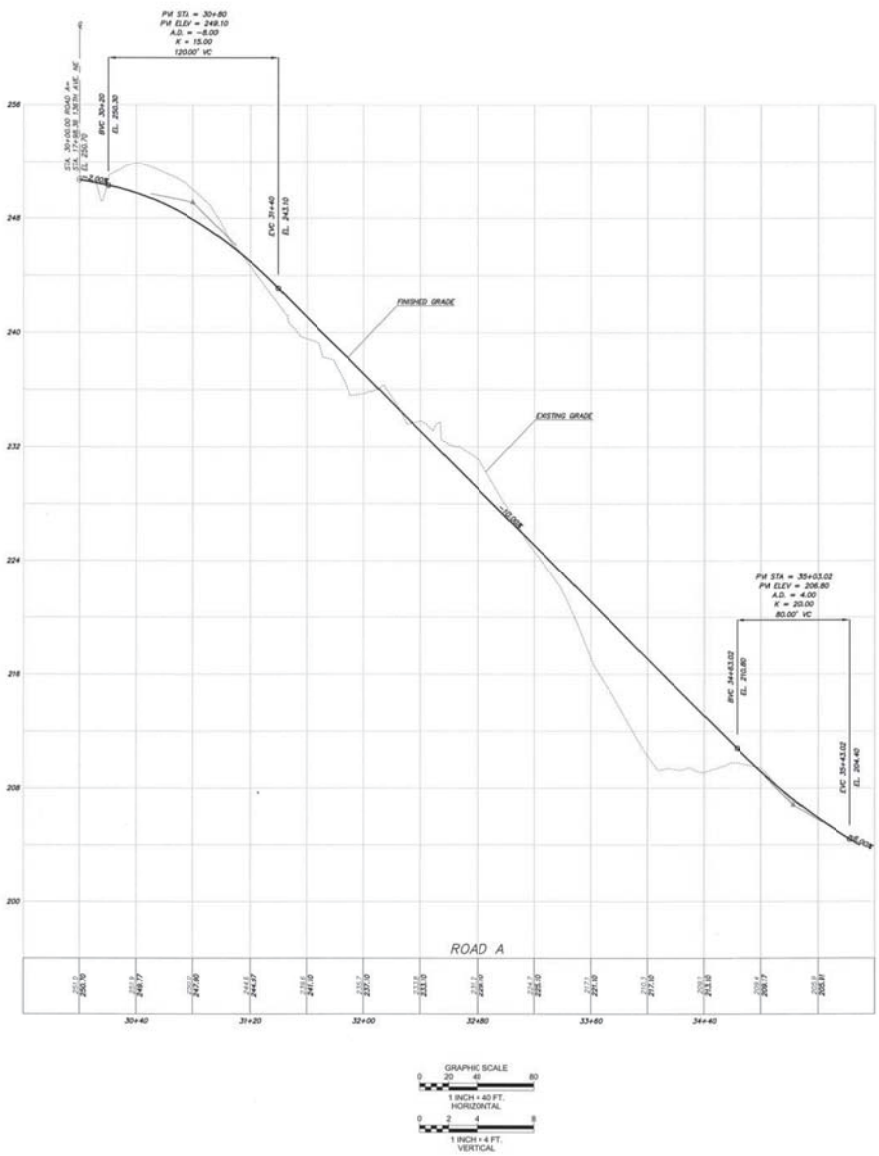
MOMCO PROPERTY



GRAPHIC SCALE
0 20 40 80
1 INCH = 40 FT.
HORIZONTAL
0 2 4 8
1 INCH = 4 FT.
VERTICAL

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MOMCO PROPERTY

CONCEPTUAL ROAD PROFILES

12820 136TH AVENUE NE
KIRKLAND, WASHINGTON

TOLL WA, LP

9720 NE 120TH PL, SUITE 100
KIRKLAND, WA 98034
(425) 825-1955

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DATE: 05.22.12
PROJECT NO.: 12014
SHEET C6 OF 8

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TREE #	SPECIES	DBH (IN.)	CONDITION	TREE POTENTIAL TO SAVE*	PROJECT PLAN TO SAVE/ REMOVE	MINIMUM ROOT PROTECTION ZONE IF SAVED (FT.)	NOTES
1	DOUGLAS-FIR	40	FAIR	YES	REMOVE (T)***	22	
2	DOUGLAS-FIR	9	POOR	NO	REMOVE (H)**		TOPPED FOR POWER LINES
3	DOUGLAS-FIR	9	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
4	DOUGLAS-FIR	6,9	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
5	DOUGLAS-FIR	13	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
6	DOUGLAS-FIR	12	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
7	DOUGLAS-FIR	10	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
8	DOUGLAS-FIR	10	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
9	DOUGLAS-FIR	20	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
10	DOUGLAS-FIR	9	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
11	DOUGLAS-FIR	8	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
12	DOUGLAS-FIR	8	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
13	DOUGLAS-FIR	10	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
14	DOUGLAS-FIR	13	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
15	DOUGLAS-FIR	7	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
16	DOUGLAS-FIR	11	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
17	DOUGLAS-FIR	7	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
18	DOUGLAS-FIR	8	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
19	DOUGLAS-FIR	8	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
20	DOUGLAS-FIR	7	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
21	DOUGLAS-FIR	7,8	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
22	DOUGLAS-FIR	11	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
23	DOUGLAS-FIR	38	GOOD	YES	REMOVE (T)	20	
24	DOUGLAS-FIR	48	GOOD	YES	REMOVE (T)	25	
25	CHERRY	7,18	POOR	NO	REMOVE (H)		TOPPED FOR POWER LINES
26	DOUGLAS-FIR	9	GOOD	YES	REMOVE (T)	5	
27	DOUGLAS-FIR	13	GOOD	YES	REMOVE (T)	8	
28	DOUGLAS-FIR	38	FAIR	YES	REMOVE (T)	22	
29	DOUGLAS-FIR	44	GOOD	YES	REMOVE (T)	25	
30	DOUGLAS-FIR	43	GOOD	YES	REMOVE (T)	25	
31	DOUGLAS-FIR	30	GOOD	YES	REMOVE (T)	18	
32	PONDEROSA PINE	13	FAIR	YES	REMOVE (T)	8	
33	DOUGLAS-FIR	42	GOOD	YES	REMOVE (T)	24	CLEAR IVY
34	DOUGLAS-FIR	28	GOOD	YES	REMOVE (T)	15	
35	AMERICAN CHESTNUT	26	FAIR	YES	REMOVE (T)	15	
36	DOUGLAS-FIR	36	GOOD	YES	REMOVE (T)	20	
37	DOUGLAS-FIR	34	GOOD	YES	REMOVE (T)	18	
38	PONDEROSA PINE	24	POOR	NO	REMOVE (H)		POOR MULTI-TOP STRUCTURE
39	DOUGLAS-FIR	22	GOOD	YES	REMOVE (T)	14	
40	DOUGLAS-FIR	44	GOOD	YES	REMOVE (T)	25	
41	DOUGLAS-FIR	32	GOOD	YES	REMOVE (T)	18	
42	DOUGLAS-FIR	25	FAIR	YES	REMOVE (T)	14	
43	DOUGLAS-FIR	30	GOOD	YES	REMOVE (T)	16	
44	DOUGLAS-FIR	36	GOOD	YES	REMOVE (T)	20	
45	DOUGLAS-FIR	26	FAIR	YES	REMOVE (T)	15	
46	DOUGLAS-FIR	24	FAIR	YES	REMOVE (T)	14	
47	DOUGLAS-FIR	22	FAIR	YES	REMOVE (T)	14	
48	DOUGLAS-FIR	34	GOOD	YES	REMOVE (T)	16	
49	DOUGLAS-FIR	19	GOOD	YES	REMOVE (T)	12	
50	DOUGLAS-FIR	36	FAIR	YES	REMOVE (T)	20	
51	DOUGLAS-FIR	40	GOOD	YES	REMOVE (T)	22	
52	DOUGLAS-FIR	6	GOOD	YES	REMOVE (T)	6	
53	DOUGLAS-FIR	8	GOOD	YES	REMOVE (T)	8	
54	DOUGLAS-FIR	10	GOOD	YES	REMOVE (T)	8	
55	DOUGLAS-FIR	18	GOOD	YES	REMOVE (T)	12	
56	DOUGLAS-FIR	14	GOOD	YES	REMOVE (T)	8	
57	DOUGLAS-FIR	13	GOOD	YES	REMOVE (T)	8	
58	DOUGLAS-FIR	40	GOOD	YES	REMOVE (T)	22	
59	DOUGLAS-FIR	34	FAIR	YES	REMOVE (T)	18	
60	CASCARA	16	FAIR	YES	SAVE		NO TAG, ON ADJACENT PROPERTY, NEEDS CROWN REDUCTION AT PROPERTY LINE
61	DOUGLAS-FIR	24	GOOD	YES	REMOVE (T)	14	
62	DOUGLAS-FIR	24	FAIR	YES	REMOVE (T)	14	
63	DOUGLAS-FIR	28	GOOD	YES	REMOVE (T)	15	
64	BIGLEAF MAPLE	12	FAIR	YES	SAVE		NO TAG, ON ADJACENT PROPERTY, NEEDS CROWN REDUCTION AT PROPERTY LINE
65	DOUGLAS-FIR	28	FAIR	YES	REMOVE (T)	15	
66	DOUGLAS-FIR	18	FAIR	YES	REMOVE (T)	10	
67	BIGLEAF MAPLE	58	VERY POOR	NO	REMOVE (H)		POOR TREE WITH MULTIPLE DEAD TOPS
68	DOUGLAS-FIR	24	GOOD	YES	REMOVE (T)	14	
69	DOUGLAS-FIR	30	GOOD	YES	REMOVE (T)	16	
70	DOUGLAS-FIR	24	GOOD	YES	SAVE		NO TAG, ON ADJACENT PROPERTY
71	DOUGLAS-FIR	36	GOOD	YES	REMOVE (T)	20	
72	DOUGLAS-FIR	36	GOOD	YES	REMOVE (T)	20	
73	CHERRY	8	FAIR	YES	REMOVE (T)	6	
74	DOUGLAS-FIR	32	FAIR	YES	REMOVE (T)	18	
75	DOUGLAS-FIR	34	FAIR	YES	REMOVE (T)	18	
76	DOUGLAS-FIR	26	FAIR	YES	REMOVE (T)	15	
77	DOUGLAS-FIR	34	FAIR	YES	REMOVE (T)	18	
78	DOUGLAS-FIR	26	GOOD	YES	REMOVE (T)	15	
79	DOUGLAS-FIR	40	GOOD	YES	REMOVE (T)	22	
80	DOUGLAS-FIR	28	GOOD	YES	REMOVE (T)	15	
81	DOUGLAS-FIR	32	GOOD	YES	REMOVE (T)	17	
82	DOUGLAS-FIR	40	GOOD	YES	REMOVE (T)	22	
83	DOUGLAS-FIR	28	GOOD	YES	REMOVE (T)	15	
84	DOUGLAS-FIR	41	GOOD	YES	REMOVE (T)	22	
85	DOUGLAS-FIR	30	GOOD	YES	REMOVE (T)	17	
86	DOUGLAS-FIR	30	GOOD	YES	REMOVE (T)	17	
87	CHERRY	7	GOOD	YES	REMOVE (T)	5	
88	DOUGLAS-FIR	28	GOOD	YES	REMOVE (T)	15	
89	DOUGLAS-FIR	34	GOOD	YES	REMOVE (T)	19	
90	DOUGLAS-FIR	30	GOOD	YES	REMOVE (T)	17	
91	DOUGLAS-FIR	34	GOOD	YES	REMOVE (T)	19	
92	DOUGLAS-FIR	32	GOOD	YES	REMOVE (T)	17	
93	DOUGLAS-FIR	24	FAIR	YES	REMOVE (T)	14	
94	DOUGLAS-FIR	28	GOOD	YES	REMOVE (T)	15	
95	DOUGLAS-FIR	32	GOOD	YES	REMOVE (T)	17	
96	DOUGLAS-FIR	40	GOOD	YES	REMOVE (T)	22	
97	DOUGLAS-FIR	32	GOOD	YES	REMOVE (T)	17	
98	BIGLEAF MAPLE	16	FAIR	YES	SAVE		NO TAG, ON ADJACENT PROPERTY
99	COTTONWOOD	20,22	FAIR	YES	REMOVE (T)	12	
100	DOUGLAS-FIR	36	GOOD	YES	REMOVE (T)	20	
101	BIGLEAF MAPLE	36	POOR	NO	REMOVE (H)		SEVERE DECAY IN STEM
102	BIGLEAF MAPLE	18	GOOD	YES	REMOVE (T)	10	
103	SCOTCH PINE	10	FAIR	YES	SAVE		NO TAG, ON ADJACENT PROPERTY
104	SCOTCH PINE	7	FAIR	YES	SAVE		NO TAG, ON ADJACENT PROPERTY
105–123	DOUGLAS-FIR	7–20	POOR	NO	SAVE	3–10	NO TAG, ON ADJACENT PROPERTY

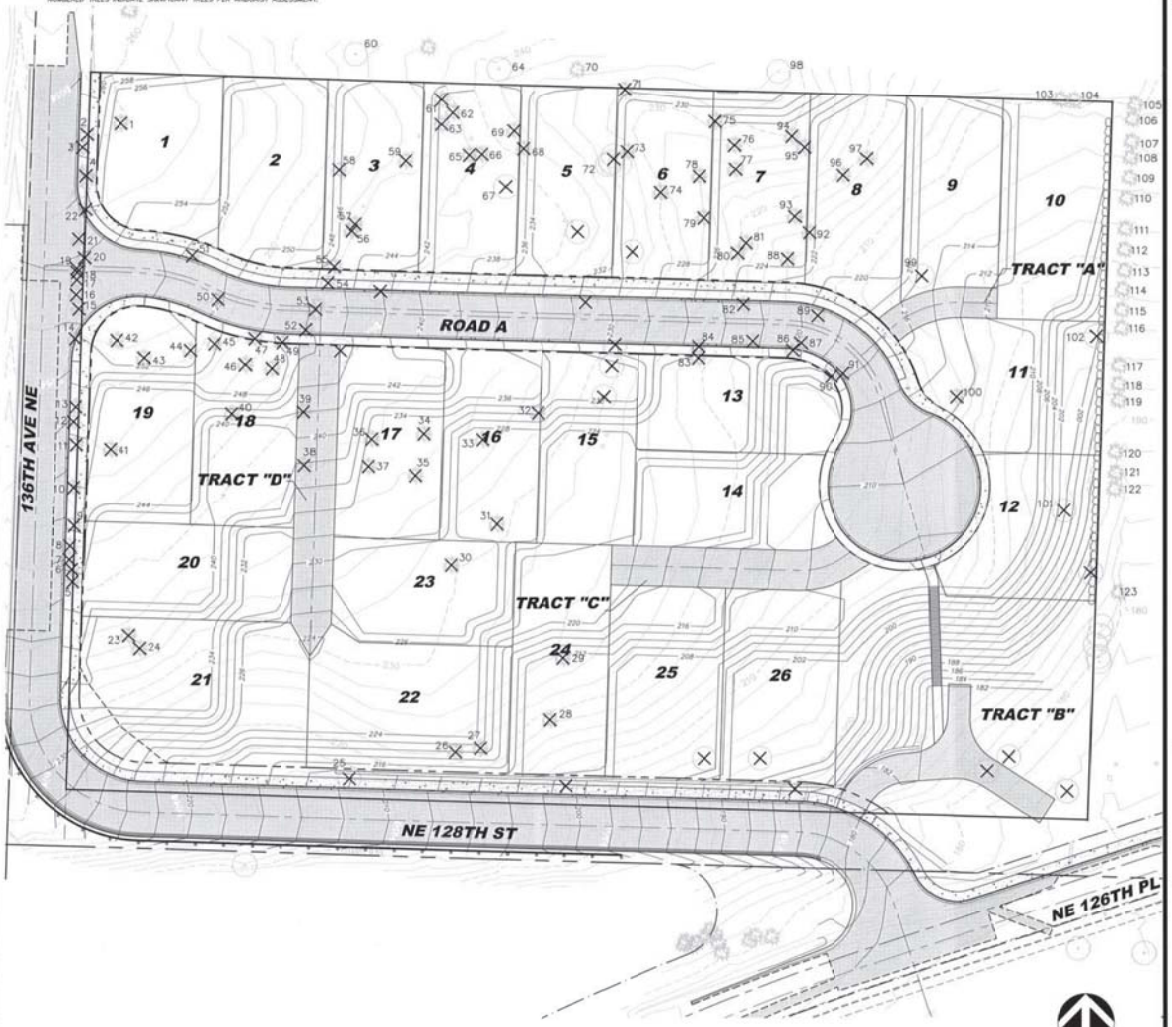
*BASED ON PHYSICAL CONDITION
**REMOVE (H) = REMOVE TREE FOR HEALTH ISSUES
***REMOVE (T) = REMOVE TREE FOR GRADING/FOOTPRINT ISSUES

NW 1/4 SECTION 27, TOWNSHIP 26 N, RANGE 5 E, W.M.

MOMCO PROPERTY

TREE REMOVAL NOTES

1. ALL ON SITE TREES WILL BE REMOVED.
2. TREE INFORMATION PER ARBORIST REPORT TITLED, "CAMWEST MOMCO PROPERTY–TREE PROTECTION PLAN", DATED MAY 16, 2012 BY WASHINGTON FORESTRY CONSULTANTS, INC.
3. ADDITIONAL TREES MAY HAVE BEEN LOCATED WITH SITE TOPOGRAPHIC SURVEY. NUMBERED TREES INDICATE SIGNIFICANT TREES PER ARBORIST ASSESSMENT.



DRS
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CONSULTING ENGINEERS
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10801 NE 38th PL, #101 KIRKLAND, WA 98033
O 425.827.3063 F 425.827.2423
www.drstrong.com

MOMCO PROPERTY
TREE RETENTION PLAN
12820 136TH AVENUE NE
KIRKLAND, WASHINGTON

TOLL WA, LP
9720 NE 120TH PL, SUITE 100
KIRKLAND, WA 98034
(425) 825-1955

DATE | REVISION | APR

May 22, 2012

DRAFTED BY: YLP
DESIGNED BY: MAJ
PROJECT ENGINEER: MAJ
DATE: 05.22.12
PROJECT NO.: 12014
SHEET C7 OF 8

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NW 1/4 SECTION 27, TOWNSHIP 26 N, RANGE 5 E, W.M.

MOMCO PROPERTY

TREE REPLACEMENT NOTES:

124 REPLACEMENT TREES ARE REQUIRED TO BE INSTALLED.

RECOMMENDED TREES FOR REPLACEMENT
82 WESTERN REDCEDAR
42 DECIDUOUS TREES

NORTH

GRAPHIC SCALE
0 15 30 60
1 INCH = 30 FT.

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MOMCO PROPERTY

TREE REPLACEMENT PLAN

12820 136TH AVENUE NE
KIRKLAND, WASHINGTON

TOLL WA, LP

9720 NE 120TH PL, SUITE 100
KIRKLAND, WA 98034
(425) 825-1955

DATE	REVISION	APR

May 22, 2012

DRAFTED BY: YLP
DESIGNED BY: MAJ
PROJECT ENGINEER: MAJ
DATE: 05.22.12
PROJECT NO.: 12014
SHEET C8 OF 8

CITY OF KIRKLAND
Planning and Community Development Department
123 Fifth Avenue, Kirkland, WA 98033 425.587-3225
www.kirklandwa.gov

DEVELOPMENT STANDARDS LIST
File: MOMCO PRELIMINARY SUBDIVISION, SUB12-00382

SUBDIVISION STANDARDS

Demolition Permit. As part of the grading permit application, the applicant shall also apply for a demolition permit for the existing structure.

22.28.030 Lot Size. Unless otherwise approved in the preliminary subdivision or short subdivision approval, all lots within a subdivision must meet the minimum size requirements established for the property in the Kirkland zoning code or other land use regulatory document.

22.28.050 Lot Dimensions. For lots smaller than 5,000 square feet in low density zones, the lot width at the back of the required front yard shall not be less than 50 feet unless the garage is located at the rear of the lot or the lot is a flag lot.

22.28.130 Vehicular Access Easements. The applicant shall comply with the requirements found in the Zoning Code for vehicular access easements or tracts.

22.28.190 Subdivisions on the Shoreline. Subdivisions adjacent to Lake Washington must comply with the provisions of Kirkland's Shoreline Master Program regarding open space and public access along the waterfront.

22.28.210 Significant Trees A Tree Retention Plan was submitted with the preliminary plat. During the review of the short plat, all proposed improvements were unknown. Therefore KZC Section 95.30 (6)(a) – Phased Review applies in regards to tree retention. There are 73 viable trees on the site, 10 of which are High Retention Value trees and 63 of which are Moderate Retention Value trees. These trees have been identified by number in the attached Arborist Report (see Attachment 6).

No trees are to be removed with an approved short plat or subdivision permit. Based on the approved Tree Retention Plan, the applicant shall retain and protect all viable trees throughout the development of each single family lot except for those trees allowed to be removed for the installation of the plat infrastructure improvements with an approved Land Surface Modification permit. Subsequent approval for tree removal is granted for the construction of the house and other associated site improvements with a required Building Permit. In addition to retaining viable trees, new trees may be required to meet the minimum tree density per KZC Section 95.33.

22.32.010 Utility System Improvements. All utility system improvements must be designed and installed in accordance with all standards of the applicable serving utility.

22.32.030 Stormwater Control System. The applicant shall comply with the construction phase and permanent stormwater control requirements of the Municipal Code.

22.32.050 Transmission Line Undergrounding. The applicant shall comply with the utility lines and appurtenances requirements of the Zoning Code.

22.32.060 Utility Easements. Except in unusual circumstances, easements for utilities

should be at least ten feet in width.

27.06.030 Park Impact Fees. New residential units are required to pay park impact fees prior to issuance of a building permit. Please see KMC 27.06 for the current rate. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision.

Prior to Recording:

22.16.030 Final Plat - Lot Corners. The exterior plat boundary, and all interior lot corners shall be set by a registered land surveyor.

22.16.040 Final Plat - Title Report. The applicant shall submit a title company certification which is not more than 30 calendar days old verifying ownership of the subject property on the date that the property owner(s) (as indicated in the report) sign(s) the subdivision documents; containing a legal description of the entire parcel to be subdivided; describing any easements or restrictions affecting the property with a description, purpose and reference by auditor's file number and/or recording number; any encumbrances on the property; and any delinquent taxes or assessments on the property.

22.16.150 Final Plat - Improvements. The owner shall complete or bond all required right-of-way, easement, utility and other similar improvements.

22.32.020 Water System. The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.

22.32.040 Sanitary Sewer System. The developer shall install a sanitary sewer system to serve each lot created.

22.32.080 Performance Bonds. In lieu of installing all required improvements and components as part of a plat or short plat, the applicant may propose to post a bond, or submit evidence that an adequate security device has been submitted and accepted by the service provider (City of Kirkland and/or Northshore Utility District), for a period of one year to ensure completion of these requirements within one year of plat/short plat approval.

Prior to occupancy:

22.32.020 Water System. The applicant shall install a system to provide potable water, adequate fire flow and all required fire-fighting infrastructure and appurtenances to each lot created.

22.32.040 Sanitary Sewer System. The developer shall install a sanitary sewer system to serve each lot created.

22.32.090 Maintenance Bonds. A two-year maintenance bond may be required for any of the improvements or landscaping installed or maintained under this title.

ZONING CODE STANDARDS

95.50 Tree Installation Standards. All supplemental trees to be planted shall conform to the Kirkland Plant List. All installation standards shall conform to Kirkland Zoning Code Section 95.45.

95.52 Prohibited Vegetation. Plants listed as prohibited in the Kirkland Plant List shall not be planted in the City.

105.10.2 Pavement Setbacks. The paved surface in an access easement or tract shall be set back at least 5 feet from any adjacent property which does not receive access from that easement or tract. An access easement or tract that has a paved area greater than 10 feet in width must be screened from any adjacent property that does not receive access from it. Screening standards are outlined in this section.

105.19 Public Pedestrian Walkways. The height of solid (blocking visibility) fences along pedestrian pathways that are not directly adjacent a public or private street right-of-way shall be limited to 42 inches unless otherwise approved by the Planning or Public Works Directors. All new building structures shall be setback a minimum of five feet from any pedestrian access right-of-way, tract, or easement that is not directly adjacent a public or private street right-of-way. If in a design district, see section and Plate 34 for through block pathways standards.

105.47 Required Parking Pad. Except for garages accessed from an alley, garages serving detached dwelling units in low density zones shall provide a minimum 20-foot by 20-foot parking pad between the garage and the access easement, tract, or right-of-way providing access to the garage.

110.60.5 Street Trees. All trees planted in the right-of-way must be approved as to species by the City. All trees must be two inches in diameter at the time of planting as measured using the standards of the American Association of Nurserymen with a canopy that starts at least six feet above finished grade and does not obstruct any adjoining sidewalks or driving lanes.

115.25 Work Hours. It is a violation of this Code to engage in any development activity or to operate any heavy equipment before 7:00 am. or after 8:00 pm Monday through Friday, or before 9:00 am or after 6:00 pm Saturday. No development activity or use of heavy equipment may occur on Sundays or on the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas Day. The applicant will be required to comply with these regulations and any violation of this section will result in enforcement action, unless written permission is obtained from the Planning official.

115.40 Fence Location. Fences over 6 feet in height may not be located in a required setback yard. A detached dwelling unit abutting a neighborhood access or collector street may not have a fence over 3.5 feet in height within the required front yard. No fence may be placed within a high waterline setback yard or within any portion of a north or south property line yard, which is coincident with the high waterline setback yard.

A detached dwelling unit may not have a fence over 3.5 feet in height within 3 feet of the property line abutting a principal or minor arterial except where the abutting arterial contains an improved landscape strip between the street and sidewalk. The area between the fence and property line shall be planted with vegetation and maintained by the property owner.

115.42 Floor Area Ratio (F.A.R.) Limits. Floor area for detached dwelling units is limited to a maximum floor area ratio in low density residential zones. See Use Zone charts for the maximum percentages allowed. This regulation does not apply within the disapproval jurisdiction of the Houghton Community Council.

115.43 Garage Requirements for Detached Dwelling Units in Low Density Zones. Detached dwelling units served by an open public alley, or an easement or tract serving as an alley, shall enter all garages from that alley. Whenever practicable, garage doors shall not be placed on the front façade of the house. Side-entry garages shall minimize blank walls. For garages with garage doors on the front façade, increased setbacks apply, and the garage width shall not exceed 50% of the total width of the front façade. These regulations do not apply within the disapproval jurisdiction of the Houghton Community Council. Section 115.43 lists other exceptions to these requirements.

115.45 Garbage and Recycling Placement and Screening. For uses other than detached dwelling units, duplexes, moorage facilities, parks, and construction sites, all garbage receptacles and dumpsters must be setback from property lines, located outside landscape buffers, and screened from view from the street, adjacent properties and pedestrian walkways or parks by a solid sight-obscuring enclosure.

115.47 Service Bay Locations. All uses, except single family dwellings and multifamily structures, must locate service bays away from pedestrian areas. If not feasible must screen from view.

115.75.2 Fill Material. All materials used as fill must be non-dissolving and non-decomposing. Fill material must not contain organic or inorganic material that would be

detrimental to the water quality, or existing habitat, or create any other significant adverse impacts to the environment.

115.90 Calculating Lot Coverage. The total area of all structures and pavement and any other impervious surface on the subject property is limited to a maximum percentage of total lot area. See the Use Zone charts for maximum lot coverage percentages allowed. Section 115.90 lists exceptions to total lot coverage calculations See Section 115.90 for a more detailed explanation of these exceptions.

115.95 Noise Standards. The City of Kirkland adopts by reference the Maximum Environmental Noise Levels established pursuant to the Noise Control Act of 1974, RCW 70.107. See Chapter 173-60 WAC. Any noise, which injures, endangers the comfort, repose, health or safety of persons, or in any way renders persons insecure in life, or in the use of property is a violation of this Code.

115.115 Required Setback Yards. This section establishes what structures, improvements and activities may be within required setback yards as established for each use in each zone.

115.115.3.g Rockeries and Retaining Walls. Rockeries and retaining walls are limited to a maximum height of four feet in a required yard unless certain modification criteria in this section are met. The combined height of fences and retaining walls within five feet of each other in a required yard is limited to a maximum height of 6 feet, unless certain modification criteria in this section are met.

115.115.3.n Covered Entry Porches. In residential zones, covered entry porches on dwelling units may be located within 13 feet of the front property line if certain criteria in this section are met. This incentive is not effective within the disapproval jurisdiction of the Houghton Community Council.

115.115.3.o Garage Setbacks. In low density residential zones, garages meeting certain criteria in this section can be placed closer to the rear property line than is normally allowed in those zones.

115.115.3.p HVAC and Similar Equipment: These may be placed no closer than five feet of a side or rear property line, and shall not be located within a required front yard; provided, that HVAC equipment may be located in a storage shed approved pursuant to subsection (3)(m) of this section or a garage approved pursuant to subsection (3)(o)(2) of this section. All HVAC equipment shall be baffled, shielded, enclosed, or placed on the property in a manner that will ensure compliance with the noise provisions of KZC 115.95.

115.115.5.a Driveway Width and Setbacks. For a detached dwelling unit, a driveway and/or parking area shall not exceed 20 feet in width in any required front yard, and shall be separated from other hard surfaced areas located in the front yard by a 5-foot wide landscape strip. Driveways shall not be closer than 5 feet to any side property line unless certain standards are met.

115.135 Sight Distance at Intersection. Areas around all intersections, including the entrance of driveways onto streets, must be kept clear of sight obstruction as described in this section.

150.22.2 Public Notice Signs. Within seven (7) calendar days after the end of the 21-day period following the City's final decision on the permit, the applicant shall remove all public notice signs.

Prior to recording:

110.60.5 Landscape Maintenance Agreement. The owner of the subject property shall sign a landscape maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property to maintain landscaping within the landscape strip and landscape island portions of the right-of-way. It is a violation to pave or cover the landscape strip with impervious material or to park motor vehicles on this strip.

110.60.6 Mailboxes. Mailboxes shall be installed in the development in a location approved

by the Postal Service and the Planning Official. The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development.

Prior to issuance of a grading or building permit:

95.30(4) Tree Protection Techniques. A description and location of tree protection measures during construction for trees to be retained must be shown on demolition and grading plans.

95.34 Tree Protection. Prior to development activity or initiating tree removal on the site, vegetated areas and individual trees to be preserved shall be protected from potentially damaging activities. Protection measures for trees to be retained shall include (1) placing no construction material or equipment within the protected area of any tree to be retained; (2) providing a visible temporary protective chain link fence at least 6 feet in height around the protected area of retained trees or groups of trees until the Planning Official authorizes their removal; (3) installing visible signs spaced no further apart than 15 feet along the protective fence stating "Tree Protection Area, Entrance Prohibited" with the City code enforcement phone number; (4) prohibiting excavation or compaction of earth or other damaging activities within the barriers unless approved by the Planning Official and supervised by a qualified professional; and (5) ensuring that approved landscaping in a protected zone shall be done with light machinery or by hand.

27.06.030 Park Impact Fees. New residential units are required to pay park impact fees prior to issuance of a building permit. Please see KMC 27.06 for the current rate. Exemptions and/or credits may apply pursuant to KMC 27.06.050 and KMC 27.06.060. If a property contains an existing unit to be removed, a "credit" for that unit shall apply to the first building permit of the subdivision.

Prior to occupancy:

95.51.2.b Tree Maintenance. For detached dwelling units, the applicant shall submit a 5-year tree maintenance agreement to the Planning Department to maintain all pre-existing trees designated for preservation and any supplemental trees required to be planted.

110.60.5 Landscape Maintenance Agreement. The owner of the subject property shall sign a landscape maintenance agreement, in a form acceptable to the City Attorney, to run with the subject property to maintain landscaping within the landscape strip and landscape island portions of the right-of-way. It is a violation to pave or cover the landscape strip with impervious material or to park motor vehicles on this strip.

110.60.6 Mailboxes. Mailboxes shall be installed in the development in a location approved by the Postal Service and the Planning Official. The applicant shall, to the maximum extent possible, group mailboxes for units or uses in the development.

110.75 Bonds. The City may require or permit a bond to ensure compliance with any of the requirements of the Required Public Improvements chapter.

DEVELOPMENT STANDARDS

SUB12-00382

BUILDING DEPARTMENT

Due to the substantial regrading of the site, a geotechnical report is required to address the development activity on each lot. The report must be prepared by a Washington State licensed Professional Engineer. Recommendations contained within the report shall be incorporated into the design of the subsequent structures.

FIRE DEPARTMENT

Paved width of access tracts shall be as required by Public Works.
Fire hydrants shall be installed as shown. All hydrants shall be equipped with 5" Stortz fittings.

PUBLIC WORKS DEPARTMENT

PUBLIC WORKS CONDITIONS

Permit #: SUB12-00382
Project Name: Camwest 26Lot Plat- Momco Property
Project Address: 12820 136th Ave. NE
Date: Revised August 24, 2012

Public Works Staff Contacts
Land Use and Pre-Submittal Process:
Rob Jammerman, Development Engineering Manager
Phone: 425-587-3845 Fax: 425-587-3807
E-mail: rjammer@ci.kirkland.wa.us

Building and Land Surface Modification (Grading) Permit Process:
John Burkhalter, Development Engineer Supervisor
Phone: 425-587-3846 Fax: 425-587-3807
E-mail: jburkhalter@ci.kirkland.wa.us

General Conditions:

1. All public improvements associated with this project including street and utility improvements, must meet the City of Kirkland Public Works Pre-Approved Plans and Policies Manual. A Public Works Pre-Approved Plans and Policies manual can be purchased from the Public Works Department, or it may be retrieved from the Public Works Department's page at the City of Kirkland's web site at www.ci.kirkland.wa.us.

2. This project will be subject to Public Works Permit and Connection Fees. It is the applicant's responsibility to contact the Public Works Department by phone or in person to determine the fees. The fees can also be review the City of Kirkland web site at www.ci.kirkland.wa.us. The applicant should anticipate the following fees:
- Septic Tank Abandonment Inspection Fee
- Review and Inspection Fee (for utilities and street improvements).
- Traffic, Park, and School Impact Fees (paid with the issuance of Building Permit). For additional information, see notes below.

3. All street and utility improvements shall be permitted by obtaining a Land Surface Modification (LSM) Permit. If a Building Permit for a new house is applied for prior to applying for the LSM Permit, the Building Permit will not be issued until a complete LSM Permit is applied for.

4. The subdivision can be recorded in advance of installing all the required street and utility improvements by posting a performance security equal to 130% of the value of work. Contact the Development Engineer assigned to this project to assist with this process.

5. The project has pass transportation concurrency and a test notice has been issued

6. Building Permits associated with this proposed project will be subject to the traffic, park, and school impact fees per Chapter 27 of the Kirkland Municipal Code. The impact fees shall be paid prior to issuance of the Building Permit(s).

7. Any existing single family homes within this project which are demolished will receive a Traffic Impact Fee credit, Park Impact Fee Credit and School Impact Fee Credit. This credit will be applied to the first Building Permit that is applied for within the subdivision (and subsequent Building Permits if multiple houses are demolished). The credit amount for each demolished single family home will be equal to the most currently adopted Fee schedule.

8. All civil engineering plans which are submitted in conjunction with a building, grading, or right-of-way permit must conform to the Public Works Policy titled ENGINEERING PLAN REQUIREMENTS. This policy is contained in the Public Works Pre-Approved Plans and Policies manual.

9. All street improvements and underground utility improvements (storm, sewer, and water) must be designed by a Washington State Licensed Engineer; all drawings shall bear the engineers stamp.

10. All plans submitted in conjunction with a building, grading or right-of-way permit must have elevations which are based on the King County datum only (NAVD 88).

11. A completeness check meeting is required prior to submittal of any Building Permit applications.

12. Olympic Pipe Line: See Per KZC 118.40 for full code language:

- The applicant shall show the hazardous pipeline corridor and applicable setbacks on site plans, subdivisions and short subdivisions for proposed development.
- The applicant shall provide verification that the pipeline operator has received and reviewed the development notice required in section KZC 115.52.030. All comments provided by the operator shall be submitted or the operator shall confirm in writing that the operator has no comments.
- No landfilling or excavation and no construction or expansion of structures is allowed within the corridor other than those authorized by the pipeline operator. All development activity, landfilling, excavation and construction shall be setback a minimum of 25 feet from the edge of the corridor. However, streets, utilities, trails and similar uses shall be exempt from the setback and construction requirements above, provided that the pipeline operator shall be notified prior to landfilling, excavation or construction.

13. The required tree plan shall include any significant tree in the public right-of-way along the property frontage.

14. All subdivision recording mylar's shall include the following note:

Utility Maintenance: Each property owner shall be responsible for maintenance of the sanitary sewer or storm water stub from the point of use on their own property to the point of connection in the City sanitary sewer main or storm water main. Any portion of a sanitary sewer or surface water stub, which jointly serves more than one property, shall be jointly maintained and repaired by the property owners sharing such stub. The joint use and maintenance shall “run with the land” and will be binding on all property owners within this subdivision, including their heirs, successors and assigns.

Public Right-of-way Sidewalk and Vegetation Maintenance: Each property owner shall be responsible for keeping the sidewalk abutting the subject property clean and litter free. The property owner shall also be responsible for the maintenance of the vegetation within the abutting landscape strip. The maintenance shall “run with the land” and will be binding on all property owners within this subdivision, including their heirs, successors and assigns.

Water Conditions:

Woodinville Water District approval required for water service. A letter of water availability is required with subdivision application.

Sanitary Sewer Conditions:

Northshore Utility District approval required for sewer service. A letter of sewer availability is required with subdivision application.

Surface Water Conditions:

2009 KCSWDM

1. Provide temporary and permanent storm water control per the 2009 King County Surface Water Design Manual and the Kirkland Addendum. See Policies D-2 and D-3 in the PW Pre-Approved Plans for drainage review information, or contact city of Kirkland Surface Water staff at (425) 587-3800 for help in determining drainage review requirements. This project will qualify for "Full Drainage Review":
- Full Drainage Review
- A full drainage review is required for any proposed project, new or redevelopment, that will:
- Add or replaces 5,000ft2 or more of new impervious surface area,
- Propose 7,000ft2 or more of land disturbing activity, or,
- Be a redevelopment project on a single or multiple parcel site in which the total of new plus replaced impervious surface area is 5,000ft2 or more and whose valuation of proposed improvements (including interior improvements but excluding required mitigation and frontage improvements) exceeds 50% of the assessed value of the existing site improvements.

2. Because this project site is one acre or greater, the following conditions apply:
- Amended soil requirements (per Ecology BMP T5.13) must be used in all landscaped areas.
- If the project meets minimum criteria for water quality treatment (5,000ft2 pollution generating impervious surface area), the enhanced level of treatment is required if the project is multi-family residential, commercial, or industrial. Enhanced treatment targets the removal of metals such as copper and zinc.
- The applicant is responsible to apply for a Construction Stormwater General Permit from Washington State Department of Ecology. Provide the City with a copy of the Notice of Intent for the permit. Permit Information can be found at the following website: http://www.ecy.wa.gov/programs/wq/stormwater/construction/
  - Among other requirements, this permit requires the applicant to prepare a Storm Water Pollution Prevention Plan (SWPPP) and identify a Certified Erosion and Sediment Control Lead (CESCL) prior to the start of construction. The CESCL shall attend the City of Kirkland PW Dept. pre-construction meeting with a completed SWPPP.
- Turbidity monitoring by the developer/contractor is required if a project contains a lake, stream, or wetland.
- A Stormwater Pollution Prevention and Spill (SWPPS) Plan must be kept on site during all phases of construction and shall address construction-related pollution generating activities. Follow the guidelines in the 2009 King County Surface Water Design Manual for plan preparation.

3. The storm water detention system shall be designed to Level II standards. Historic (forested) conditions shall be used as the pre-developed modeling condition.

4. This project is creating or replacing more than 5000 square feet of new impervious area that will be used by vehicles (PGIS - pollution generating impervious surface). Provide storm water quality treatment per the 2009 King County Surface Water Design Manual. Storm detention calculations for the entire site are required.

5. Work within an Existing Ditch: The developer has been given notice that the Army Corps of Engineers (COE) has asserted jurisdiction over upland ditches draining to streams. Either an existing Nationwide COE permit or an Individual COE permit may be necessary for work within ditches, depending on the project activities. Applicants should obtain the applicable COE permit; information about COE permits can be found at: U.S. Army

Corps of Engineers, Seattle District Regulatory Branch http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=mainpage_NWPs

Specific questions can be directed to: Seattle District, Corps of Engineers, Regulatory Branch, CENWS-OD-RG, Post Office Box 3755, Seattle, WA 98124-3755, Phone: (206) 764-3495

6. Provide an erosion control report and plan with Building or Land Surface Modification Permit application. The plan shall be in accordance with the 2009 King County Surface Water Design Manual.

7. Construction drainage control shall be maintained by the developer and will be subject to periodic inspections. During the period from May 1 and September 30, all denuded soils must be covered within 7 days; between October 1 and April 30, all denuded soils must be covered within 12 hours. Additional erosion control measures may be required based on site and weather conditions. Exposed soils shall be stabilized at the end of the workday prior to a weekend, holiday, or predicted rain event.

8. Provide collection and conveyance of right-of-way storm drainage

9. Provide a separate storm drainage connection for each lot.

10. All roof and driveway drainage must be tight-lined to the storm drainage system or utilize low impact development techniques.

11. As depicted on sheet C3, a 12-inch storm line shall be extended to the east property line between lots 7 and 8 and shall be terminated with a catch basin for future extension. The City's Maintenance Division is asking that the easement be increased from 10 ft. (as shown) to 15 ft. in width; the easement will be public. No building setback from the easement is required. Fences can be built within the public utility easement, but cannot encroach into the 10 f.t wide public pedestrian easement that is within this utility easement (pedestrian easement requirements below under Street Improvement conditions)

12. The storm detention system and collection and conveyance facilities in the public right-of-way or public utility easements shall be owned and maintained by the City. The grounds and landscaping in tract B (which encompasses the detention vault) shall be maintained by the HOA.

Street and Pedestrian Improvement Conditions:

1. The subject property abuts NE 128th St and 136th Ave. NE; the plat also has an internal public access street. These streets are Neighborhood Access type streets however, NE 128th St and 136th Ave. NE both have a need for designated bike lanes. Zoning Code sections 110.10 and 110.25 require the applicant to make half-street improvements in rights-of-way abutting the subject property. Section 110.30-110.50 establishes that this street must be improved with the following:

NE 128th St.
A. Widen the street to 16 ft. from centerline to face of curb to provide an 11 ft. lane and a 5 foot bike lane. The eastbound lane on the south side of the centerline shall be 11 ft wide with a 2 ft min. shoulder and guard rail as required per AASHTOE. Drainage collection and conveyance shall also be required on the south side of the road when it is rebuilt.
B. One the north side of the street, install storm drainage, curb and gutter, and a 5 ft. wide sidewalk. Plant street trees 30 ft on center 3 ft back of sidewalk where slopes allow for feasible planting.
C. Apply for a separate Building Permit for the retaining wall along the street. The wall should be encompassed in the public right-of-way.
D. 5 ft. Sidewalk shall extend to east property limits along NE 126th Pl. (as shown on the plans.
E. At the intersection of NE 128th St and 136th Ave. NE, design a slow speed curve with a 45 ft minimum inside radius (current radius appears to be about 45 ft). Dedicate sufficient ROW to encompass the street to the back of the new sidewalk
F. At the intersection of NE 128th St and NE 126th Pl., rebuild the intersection into a tee-intersection as shown in the plan set. The AASHTO Design guidelines for an intersection landing cannot be met, but the intersection will

meet minimum sight distance requirements. The site distance analysis has been received and reviewed by the City's Transportation Engineer.
G. Due to the complete reconstruction on NE 128th Street and the intersection of NE 128th Street and NE 126th Ave. NE, the developer has requested a traffic impact fee credit because the reconstruction of the intersection is of value to the overall City transportation system. The reconstruction of this intersection is a needed safety and functional improvement that Public Works identified after we annexed this area. By having this development reconstructed the intersection at this time the City is realizing an estimated savings of $300,000 or greater. In turn, the impact fee credit that the development will be receiving is $95,625 (per 2012 traffic impact fee schedule). The ability to grant an Impact Fee credit is found in Kirkland Municipal Code 27.04.060 which reads as follows:

27.04.060 Credits.
(a) An applicant may request a credit or credits for the value of dedicated land, improvements, or construction if the land and/or the facility constructed are included within the capital facilities plan or the director makes the finding that such land and/or facility would serve the goals and objectives of the capital facilities plan.
(b) Each request for a credit or credits shall include a legal description of land donated, a detailed description of improvements or construction provided, and a legal description or other adequate description of the development to which the credit will be applied.
(c) For each request for a credit or credits, the director shall determine the value of the dedicated land, improvements, or construction on a case-by-case basis. In the event that the applicant disagrees with the director's valuation, the applicant may submit an appraisal for the director's consideration, prepared by a state-certified real estate appraiser who has an MAI or SRA designation from the Appraisal Institute, establishing the fair market value of the dedicated land, improvements, or construction. The applicant shall pay the cost of the appraisal.
(d) After the director has determined the amount of the credit, the department shall include the determination with issuance of the building permit, a statement setting forth the dollar amount of the credit, the basis for the credit, where applicable, the description of the land donated to which the credit is applied and the date of the determination.
(e) Any claim for credit must be made before payment of the impact fee and prior to issuance of the building permit. Any claim not so made shall be deemed waived.
(f) No credit shall be given for project improvements or right-of-way dedications for direct access improvements to and/or within the subject development.
(g) Determinations made by the director pursuant to this chapter shall be subject to the appeals procedures set forth in Section 27.04.130. (Ord. 4100 § 3 (part), 2007: Ord. 3685 § 1 (part), 1999)

The Public Works Director and the Transportation Manager have both reviewed this request for an impact fee credit and agree that the reconstruction of the intersection will serve the goals and objectives of the Capital Facility Plan and recommend that the impact fee credit be granted if the said improvements are constructed.

136th Ave. NE
H. When NE 128th Street curves to 136th Ave. NE the existing pavement is off-set from the center of the right-of-way. The street cannot be shifted to the west to align with the right-of-way centerline due to the topography to the west. Therefore, the said curve shall essentially follow the current as-built curve. The pavement width shall provide for 16 ft. of paving along the project frontage (11 ft. driving lane and 5 ft. bike lane) and 13 ft. of paving on the opposite side of the street (11 ft. driving lane and 2 ft. shoulder). The curb and gutter shall transition from the point of tangency on the curve between NE 128th Street and 136th Ave. NE and extend north to align with the new curb and gutter just installed by the Vintner's Ridge Plat.
I. As mentioned above, the southbound lane on the west side of the centerline shall be 11 ft wide with a 2 ft min. shoulder and guard rail as required per AASHTOE. Drainage collection and conveyance shall also be required on the west side of the road when it is rebuilt.
J. One the east side of the street, install storm drainage, curb and gutter, a 4.5 ft wide landscape strip with street trees 30 ft on center, and a 5 ft. wide sidewalk or an 8 ft. wide sidewalk with street trees in 4x6 tree wells 30 ft. on-center.

New Access Road
K. Dedicate 40 ft of right-of-way and install a 24 ft wide street with vertical curb and gutter, 4.5 ft wide landscape strips with street trees 30 ft on center, and a sidewalk along one side of the street (as depicted on sheet C7). The

sidewalk is only required on one side due to the length of the new street (modified standard recommended by Public Works).
L. The sidewalk shall extend down across the storm tract to NE 126th PL/NE 128th St. and timber stairs with code required hand rail can be used as needed (when a sloped sidewalk is not feasible).
M. The said sidewalk extension across the storm tract shall be encompassed in a 10 ft. wide pedestrian easement
N. Install storm drain collection and conveyance.
O. Review sight distance at the intersection with 136th Ave. NE.
P. The cul-de-sac dedication shall be 90 ft diameter (as shown) and the new curb diameter shall be placed at 80 ft. diameter.
Q. Provide a 10 ft. wide pedestrian easement with an 8 ft. wide sidewalk between lots 7 and 8 that will provided a pedestrian connection to the planned subdivision to the north. Chapter 105 of the KZC requires structures to be set back 5 ft. from pedestrian easements and fences along the pedestrian path shall be limited to 42 inches in height.

2. A 2-inch asphalt street overlay will be required where more than three utility trench crossings occur with 150 lineal ft. of street length or where utility trenches parallel the street centerline. Grinding of the existing asphalt to blend in the overlay will be required along all match lines.

3. The access tracts serving lots 24-26 and 20-23 may need to be paved 20 ft wide due to the number of lots being served and the length of the tract. The Fire Department shall be consulted on this issue by the Public Works Department. .

4. The driveway for each lot shall be long enough so that parked cars do not extend into the access easement or right-of-way (20 ft. min.).

5. All lots must take access from the new access street and no driveway shall be within 50 ft of the intersection; lots 18 and 19 and lots 1 and 2 may need to share a driveway.

6. All street and driveway intersections shall not have any visual obstructions within the sight distance triangle. See Public Works Pre-approved Policy R.13 for the sight distance criteria and specifications. This includes the intersection of NE 128th St and 136th Ave. NE; the southwest corner of lot 21 shall have clear zone sight distance easement recorded across the lot in conjunction with the plat recording

7. Prior to the final of the building or grading permit, pay for the installation of stop and street signs at the new intersections.

8. Install "NO PARKING ANYTIME" signs along the project frontage on NE 128th St and along 136th Ave. NE; except for the portion of 136th Ave. NE that is 18 ft. wide.

9. Install new monuments at intersection with 136th Ave. NE, the cul-de-sac, and other locations as specified by the surveyor or the Public Works Department.

10. It shall be the responsibility of the applicant to relocate any above-ground or below-ground utilities which conflict with the project associated street or utility improvements.

11. Underground all new and existing on-site utility lines and overhead transmission lines (not including the overhead utility lines along NE 128th St that currently encroach onto the property).

12. Zoning Code Section 110.60.9 establishes the requirement that existing utility and transmission (power, telephone, etc.) lines on-site and in rights-of-way adjacent to the site must be underground. The Public Works Director may determine if undergrounding transmission lines in the adjacent right-of-way is not feasible and defer the undergrounding by signing an agreement to participate in an undergrounding project, if one is ever proposed. In this case, the Public Works Director has determined that undergrounding of existing overhead utility, where power lines exist (PSE transmission) on NE 128th St and 136th Ave. NE is not feasible at this time and the undergrounding of off-site/frontage transmission lines should be deferred with a Local Improvement District (LID)

No Protest Agreement. The final recorded subdivision mylar shall include a condition requiring all associated lots to sign a LID No Protest Agreement prior to the issuance of a building permit for said lot. In the case where there are overhead lines but they do not include power lines (PSE transmission), then the other lines shall be undergrounded.

13. New street lights are required per Puget Power design and Public Works approval. Design must be submitted prior to issuance of a grading or building permit.

CITY OF KIRKLAND
123 FIFTH AVENUE
KIRKLAND, WA 98033-6189
425.587.3225

Determination Of Nonsignificance

CASE #: SEP12-00383

DATE ISSUED: August 29, 2012

DESCRIPTION OF PROPOSAL: Proposal to subdivide one 4.69 acre parcel into 26 separate lots. Access to lots will be provided via a new access road off 136th Avenue NE.

APPLICANT: Paul Lymberis

PROJECT LOCATION: 12820 136TH AVE NE

LEAD AGENCY IS THE CITY OF KIRKLAND

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21.030 (2) (c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

There is no comment period for this DNS.
This determination is issued under 197-11-340 (2); the lead agency will not act on this proposal for 14 days from the date above. Appeals must be submitted by 5:00 p.m. September 12, 2012

Responsible Official: _____ 8/27/12
Eric Shields, Director — Date
Department of Planning and Community Development
425-587-3225

Address: City of Kirkland
123 Fifth Avenue
Kirkland, WA 98033-6189

You may appeal this determination to the Planning Department at Kirkland City Hall, 123 Fifth Avenue, Kirkland, WA 98033 no later than 5:00 p.m., September 12, 2012 by WRITTEN NOTICE OF APPEAL.

You should be prepared to make specific factual objections. Contact the Planning Department at 425-587-3225 to read or ask about the procedures for SEPA appeals.

Please reference case # SEP12-00383

Distribute this form with a copy of the checklist to the following:

Northshore Utility District
PO Box 82489
Kenmore, WA 98028-0489

Ken Howe, PE, General Manager
Woodinville Water District
17238 NE Woodinville-Duvall Rd.
PO Box 1390
Woodinville, WA 98072-1390
Director of Support Services Center
Lake Washington School District No. 414
PO Box 97039
Redmond, WA 98073-9739

David B. Johnson and Lillian Cruz
Livengood, Fitzgerald and Alskog PLLC
PO Box 908
Kirkland WA 98083-0908

Owner: Ken Lyons
Agent: Toll Bros, Inc
MITIGATING MEASURES INCORPORATED INTO THE PROPOSAL:

cc: Case # SUB12-00382

Distributed to agencies along with a copy of the checklist (see attached).

Distributed By: _____ Date: 8/29/12

CITY OF KIRKLAND
123 FIFTH AVENUE ● KIRKLAND, WASHINGTON 98033-6189 ● (425) 587-3000

DEPARTMENT OF PUBLIC WORKS
MEMORANDUM

To: Tony Leavitt, Planner

From: Thang Nguyen, Transportation Engineer

Date: August 23, 2012

Subject: Momco Property Subdivision Development, TRAN12-00270

This memo summarizes Public Works review of the proposed Momco Subdivision development. Public Works recommendations and conditions of approval are outlined at the end of this memo.

Project Description
The applicant is proposing to construct a sub-division development with 27 single family units on a vacant lot. The proposed project is calculated to generate 258 daily, 20 AM peak and 27 PM peak net new vehicle trips. One driveway off 136th Avenue NE will provide access to the site. The intersection of NE 128th Street/NE 126th Place will be realigned as part of this proposed project.

The proposed project passed traffic concurrency. This memo will serve as the concurrency test notice for the proposed project. Per *Section 25.10.020 Procedures* of the KMC, this Concurrency Test Notice will expire in one year (May 11, 2013) unless a development permit and certificate of concurrency are issued or an extension is granted.

Traffic Impacts
The traffic report was completed as outlined by Public Works and followed the City of Kirkland TIA guidelines. Project traffic distribution and assignment was estimated using the City's BKR Traffic Model.

The City 's Traffic Impact Analysis Guidelines (TIAG) requires a Level of Service (LOS) Analysis using the Highway Capacity Manual Operational Method for intersections that have proportionate share greater than 1%. Based on the proportionate share calculation the intersection of NE 126th Place/NE 128th Street met the 1% proportionate share threshold for PM peak hour; thus, requiring safety and level of service analyses.

The City requires developers to mitigate traffic impacts when one of the following two conditions is met:

1. An intersection level of service is at E and the project traffic is more than 15% of the intersection traffic volumes.

2. An intersection level of service is at F and the project traffic is more than 5% of the intersection traffic volumes.

Based on the mitigation standards, off-site traffic mitigation based on level of service is not warranted.

However, the current intersection of NE 128th Street/NE 126th Place is not at a right-angle and does not provide safe maneuvering or safe sight distance from north to west. The applicant will realign it to become a T-intersection to improve safety and operation. The intersection of NE 126th Place/NE 128th Street was calculated to operate at LOS-B or better during the PM peak hour. The resulting level of service is acceptable therefore; additional off-site traffic mitigation is not warranted.

Driveway Operation
All the project driveways are calculated to operate at an acceptable LOS-A or better. The speed limit of 136th Avenue NE is 25 mph. The City of Kirkland requires a minimum clear safe sight triangle with a distance 150 feet from the driveway for approaching grade up to ±3%. The grade on 136th Avenue NE is approximately 7%, thus adjustment must be made to accommodate the grade. The calculated minimum required clear sight distance for the driveway is approximately 167 feet with the grade adjustment. The observed sight distances in both directions are +290 feet, thus meeting the City's minimum requirements. Thus, no mitigation is warranted.

Parking
Parking will be provided on-site to meet the City's parking code requirements.

Road Impact Fees
Per City's Ordinance 3685, Road Impact Fees per Impact Fee Schedule in effect September 1, 2010 are required for all developments. Road impact fees are used to construct transportation improvements throughout the City. The road impact rate for single-family is $3,825 per unit. With 27 units, the calculated transportation impact fee is $103,275 (27 units x $3,825). The applicant will reconstruct the intersection of NE 128th Street/NE 126th Place. A credit for the off-site transportation improvements and/or land dedication will be determined per Public Works agreement with the applicant. Final impact fee shall be determined at building permit acceptance.

Staff Recommendations
Public Works Staff concludes that the proposed project will not create significant traffic impacts that would require specific off-site traffic mitigation. Staff recommends approval of the proposed project with the following conditions:

- Pay final Road Impact Fee as determine by Public Works
- Realign the intersection of NE 128th Street/NE 126th Place per City of Kirkland requirements.

If you have any questions, call me at (425) 587-3869.

cc: EnerGov filing
Rob Jammerman, Development Engineer Manager

WASHINGTON FORESTRY CONSULTANTS, INC.
FORESTRY AND VEGETATION MANAGEMENT SPECIALISTS
W F C I

360/943-1723
FAX 360/943-4128

1919 Yelm Hwy SE, Suite C
Olympia, WA 98501

-Tree Protection Plan-

CAMWEST MOMCO PROPERTY

12820 136th Avenue NE
Kirkland, Washington

Prepared for: CamWest Development Inc.

Prepared by: Washington Forestry Consultants, Inc.

Date: May 16, 2012

The project proponent is planning to construct a new 26 lot subdivision on 4.69 acres at 12820 136th Avenue NE in Kirkland, WA. The proponent has retained WFCI to:

- Evaluate all trees on the site pursuant to the requirements of Chapter 95.30 of the Kirkland Tree Management and Required Landscaping.
- Make recommendations for retention of suitable trees in open space or tree tract areas, along with required protection and cultural measures.
- Complete the required minimum stocking and tree replacement calculations.

Observations

Methodology

WFCI has evaluated all trees 6 inches diameter at breast height (DBH) and larger and assessed their potential to be incorporated into the new project. The tree evaluation phase used methodology developed by Matheny and Clark (1998)[1].

In all cases, the overall appearance of the tree was considered relative to its ability to add value to the site and the scale of the tree and its proximity to other developments is considered.

[1] Matheny, Nelda and James R. Clark. *Trees and Development: A Technical Guide to Preservation of Trees During Land Development.* International Society of Arboriculture, Champaign. IL 1998

Site History

The subject parcel was previously partially cleared and a home was built in 1934. There are three buildings currently located on the site. The existing trees are a mix of residuals from the native stand, and native tree species that have naturally seeded into the site.

The tree stocking is irregular with clustered trees, scattered individuals, and open areas. The largest numbers of trees are in the northern and western portion of the parcel. The remaining area maintained grass field.

The site is bordered by single family homes on the north and east; NE 128th Street to the south and 136th Avenue NE to the west. Access is via a gravel driveway from 136th Avenue NE.

Soil Depth and Productivity

According to the King County Soil Survey there are two soil types located on the site.

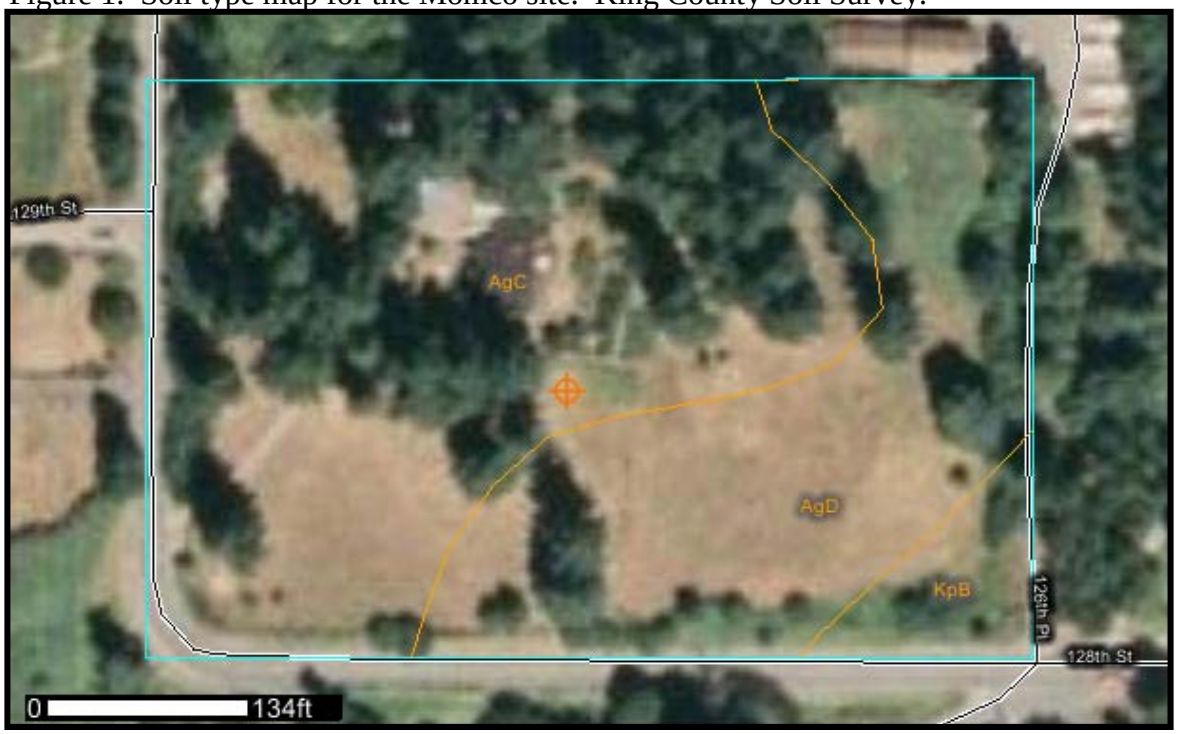
The first soil type is the Alderwood gravelly sandy loam, a moderately deep, moderately well drained soil found on glacial till plains. It is formed in ablation till overlying basal till. A weakly cemented hardpan is at a depth of 20 to 40 inches. Permeability is moderately rapid above the hardpan and very slow in the pan. Available water capacity is low.

A perched seasonal high water table is at a depth of 18-36 inches from November to March. The effective rooting depth for trees is 20-40 inches. The potential for windthrow of trees is *moderate* under normal conditions. New trees require irrigation for establishment.

In areas where grading brings the hardpan nearer to the surface, the hardpan on the Alderwood must be fractured under new trees to provide soil volume for root development and to improve drainage around the tree. This type occurs across the majority of the site.

The second type is the Kitsap silt loam, a moderately deep, moderately well drained soil found on remnant terraces along Puget Sound. It is formed in glacial lake sediments. Permeability is very slow. Available water capacity is high. The effective rooting depth for trees is 32 inches. A seasonal high water table occurs from November to March. The soil is subject to hillside slippage. The potential for windthrow of trees is high under normal conditions. This type is found in the southeast corner of the site.

Figure 1. Soil type map for the Momco site. King County Soil Survey.



AgC- Alderwood gravelly sandy loam 6-15%
AgD- Alderwood gravelly sandy loam 15-30%
KpB- Kitsap Silt Loam 2-8%

Existing Tree Conditions

For the purposes of description, there is only one forest cover type with the remainder being non-forest.

Forest Type I. – The tree stocking is patchy or the trees occur as isolated individuals or small clusters. The dominant tree species is Douglas-fir (*Pseudotsuga menziesii*). Other species on or immediately adjacent to the site include bigleaf maple (*Acer macrophyllum*), bitter cherry (*Prunus emarginata*), black cottonwood (*Populous trichocarpa*), Scotch pine (*Pinus sylvestris*), chestnut (*Castanea spp.*), cascara (*Rhamnus purshiana*), and ponderosa pine (*Pinus ponderosa*).

The tree diameters range from 6 to 48 inches diameter at breast height (DBH). There are 98 trees on the subject parcel. In addition, we evaluated 25 off-site trees with canopies that overhang the subject parcel as required by the code. A complete tree list is provided in Appendix III.

The condition of the trees ranges from good to very poor. The tree issues included dead tops, topped trees or trees with decay in the lower stem. In general, only trees rated to be in 'fair' and above condition have the potential to be retained when only their physical condition is considered. Trees rated poor or very poor are not suitable for retention due to poor health or defects that would make them hazardous to new targets in the subdivision.

A row of trees, #'s 2-22, along the west property line under the powerlines are topped Douglas-firs and should be removed.

The understory shrub cover in the vicinity of the trees includes grasses, Himalayan blackberry (*Rubus discolor*) Scotch broom (*Cytisus scoparius*) and broadleaf weed species.

Off-Site Impacts

The potential is low that tree removal on this site will impact the 25 trees that border the project, or any other trees on surrounding properties. The crowns of two trees #60 and 64 overhang onto the Momco property and will likely need to be pruned back.

A row of topped (under powerline also) Douglas-fir trees, #'s 105-123, are located along the east property line. The grade changes near them will be fills and the trees are far enough from the property lines that the trees will not be significantly impacted by construction.

Discussion

Potential for Tree Retention

Just over 74% of the trees on the site (73 out of 98) have the potential to be saved and be long-term trees when only tree health is considered. The current site plan however, will require removal of all 73 trees because they are within the footprints of the improvements, or would be severely impacted by grade changes. Twenty-five trees would be removed because they are structurally defective or in poor health. No trees are proposed to be retained. Table 1 provides a summary of the proposed tree retention and removal by tree condition class.

Table 1. List of on Site Trees by Condition.

Tree Condition Class	Total # of Trees	# of Trees to be Saved	# of Trees to Remove
Good	53	0	53
Fair	20	0	20
Poor	24	0	24
Very Poor	1	0	1
Sum	**98**	**0**	**98**

Minimum Density Calculations

The City of Kirkland's *Tree Management and Required Landscaping* (Chapter 95) requires that 30 units per acre of existing trees be retained in the buildable area of the site. The buildable area excludes public rights-of-ways. If suitable trees are not retained in tree protection areas, then trees must be planted to achieve the minimum density requirement.

The following is a summary of the estimated tree density planned for retention:

Total acreage	4.69 acres
Right-of-ways	0.58 acres
Buildable Area	4.11 acres
Minimum Density Required:	
(30 units/acre x 4.11 acres)	123.3 Tree Units
Planned Tree Retention:	0.0 Tree Units
Shortfall of Tree Retention	**123.3 Tree Units**

Planned tree retention falls short of the minimum density requirement by 123.3 tree units. At least 124 trees (6+ ft. tall conifers or 2 inch plus deciduous trees) must be planted to meet the minimum density requirement.

Recommendations

Tree Protection Measures

If trees are saved, they must be protected during construction by temporary chain-link fencing (Appendix IV), located at the edge of the critical root zone (CRZ). The individual CRZ are a radius 5 ft. outside the dripline of the tree, unless otherwise delineated by WFCI. Highly visible signs spaced no further than 15 feet along the entirety of the tree fence. Said sign must be approved by the Planning Official and shall state at a minimum "Tree Protection Area, Entrance Prohibited" and provide the City phone number for code enforcement to report violations.

No irrigation lines, trenches, or other utilities should be installed within the CRZ. Cuts or fills should impact no more than 20% of a tree's root system. If topsoil is added to the root zone of a protected tree, the depth should not exceed 2 inches of a sandy loam or loamy fine sand topsoil and should not cover more than 20% of the root system.

If roots are encountered outside the CRZ during construction, they should be cut cleanly with a saw and covered immediately with moist soil. Noxious vegetation within the critical root zone should be removed by hand. If a proposed save tree must be impacting by grading or fills, then the tree should be re-evaluated by WFCI to determine if the tree can be saved with mitigating measures, or if the tree should be removed.

Pruning and Thinning

All trees to be saved should have their crowns raised to provide a minimum of 8 feet of ground clearance over sidewalks and landscape areas, 15 feet over parking lots or streets, and at least 10 feet of building clearance. This pruning should be done according to the ANSI A300 standards for pruning, and be completed by an International Society of Arboriculture Certified Arborist®, or be supervised by a Certified Arborist®.

Tree Planting

In addition to street trees and other required landscaping, 124 trees need to be planted to meet the minimum stocking requirement of the tree protection ordinance.

It is recommended that the trees be a mixture of native conifer and ornamental deciduous trees and be planted on the lots. Western red cedar is recommended to be included as one of the native conifer species.

The tree planting should be include 5 trees per lot using native conifers and high quality shade and accent ornamental deciduous trees.

This tree planting plan should be illustrated on the landscape plan. All trees should be planted according to the City of Kirkland and industry standards. On this site, if the hardpan is near the surface, then it should be fractured under all planted trees to facilitate drainage in improved root zone. The hardpan is compacted glacial till and could be pulverized and mixed with the overburden and organics and reused onsite.

The projected installed cost of the 124 replacement trees is $26,320.

Conclusions - Timeline for Activity

1. Complete all necessary pruning of save trees on adjacent property. Contact WFCI to meet with the pruning contactor if necessary.
2. Complete logging of buildable area.
3. Complete clearing, and grading.

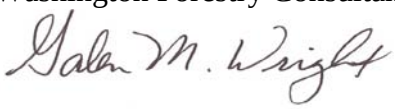
Summary

There are a total of 98 trees within the project site. Seventy-three (73) are healthy trees that could be long-term trees if protected. Due to extensive grading required for the project, no trees are proposed to be saved.

The tree protection ordinance requires that a minimum of 123.3 tree units be retained or planted on site. This proposed plan does not retain any trees. This falls short of the minimum density requirement by 123.3 tree units. A total of 124 trees are proposed to be planted on lots or other open space areas to meet the minimum density requirements of the ordinance. The projected cost of this tree replacement plan is $26,320.

Respectfully submitted,

Washington Forestry Consultants, Inc.



Galen M. Wright, ACF, ASCA
Board Certified Master Arborist No. PN-0129
Certified Forester No. 44

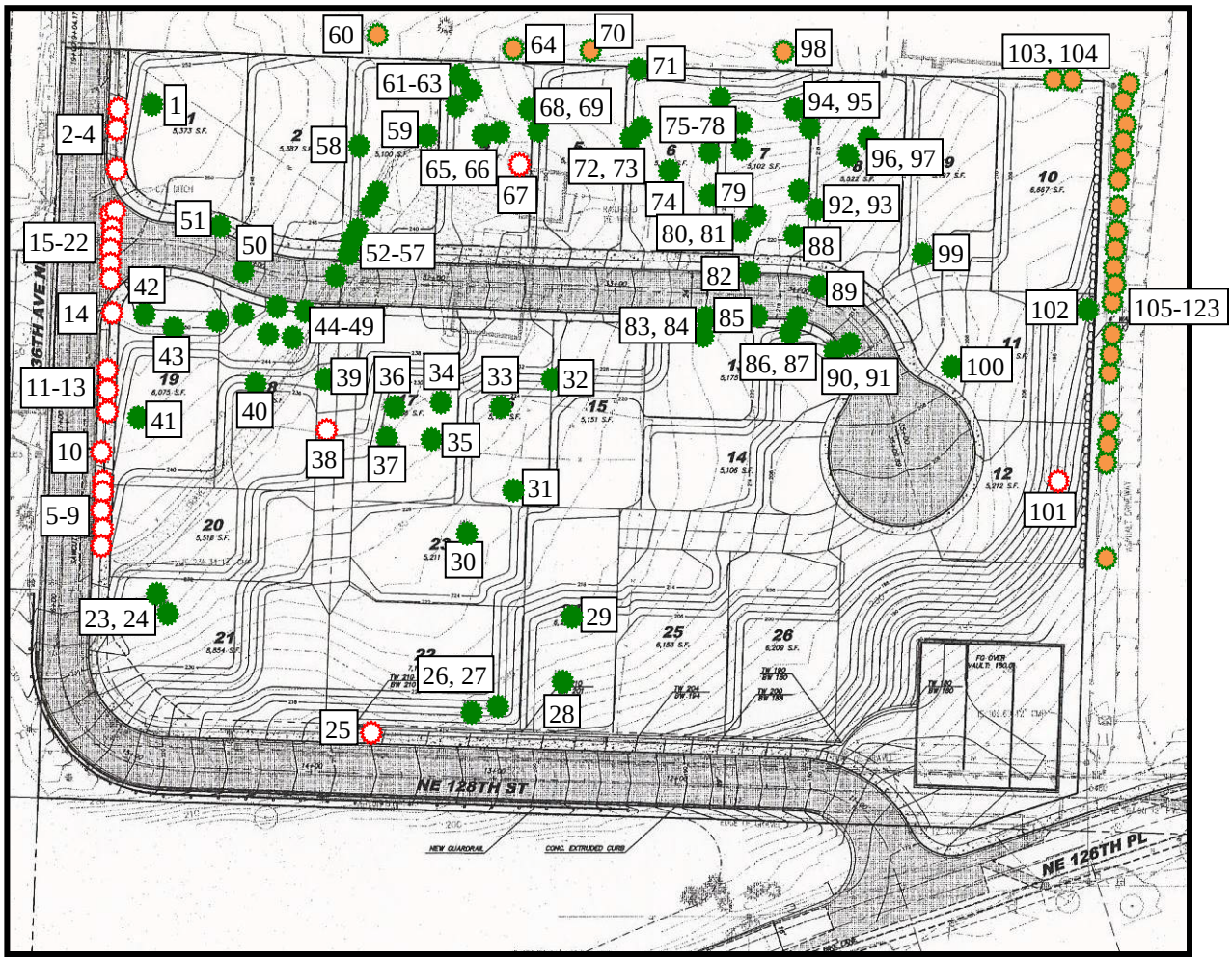
attachment: appendices

APPENDIX I

CamWest Momco Property – Existing Conditions
Aerial Photo (King iMap-2009)

Project & Type Boundary

APPENDIX II
Map of Trees by Condition (Healthy and Unhealthy)



On-Site Healthy Trees
Off-Site Healthy Trees
Unhealthy Trees

APPENDIX III
List of Trees on Site

Tree #	Species	DBH (in.)	Condition	Tree Potential to Save*	Project Plan to Save/ Remove	Tree Units for Save Trees	Minimum Root Protection Zone if Saved (ft.)	Notes
1	Douglas-fir	40	Fair	Yes	Remove (F)***		22	
2	Douglas-fir	9	Poor	No	Remove (H)**			Topped for power lines
3	Douglas-fir	9	Poor	No	Remove (H)			Topped for power lines
4	Douglas-fir	8,9	Poor	No	Remove (H)			Topped for power lines
5	Douglas-fir	13	Poor	No	Remove (H)			Topped for power lines
6	Douglas-fir	12	Poor	No	Remove (H)			Topped for power lines
7	Douglas-fir	10	Poor	No	Remove (H)			Topped for power lines
8	Douglas-fir	10	Poor	No	Remove (H)			Topped for power lines
9	Douglas-fir	20	Poor	No	Remove (H)			Topped for power lines
10	Douglas-fir	9	Poor	No	Remove (H)			Topped for power lines
11	Douglas-fir	6	Poor	No	Remove (H)			Topped for power lines
12	Douglas-fir	8	Poor	No	Remove (H)			Topped for power lines
13	Douglas-fir	10	Poor	No	Remove (H)			Topped for power lines
14	Douglas-fir	13	Poor	No	Remove (H)			Topped for power lines
15	Douglas-fir	7	Poor	No	Remove (H)			Topped for power lines
16	Douglas-fir	11	Poor	No	Remove (H)			Topped for power lines
17	Douglas-fir	7	Poor	No	Remove (H)			Topped for power lines
18	Douglas-fir	8	Poor	No	Remove (H)			Topped for power lines
19	Douglas-fir	8	Poor	No	Remove (H)			Topped for power lines
20	Douglas-fir	7	Poor	No	Remove (H)			Topped for power lines
21	Douglas-fir	7,8	Poor	No	Remove (H)			Topped for power lines
22	Douglas-fir	11	Poor	No	Remove (H)			Topped for power lines
23	Douglas-fir	38	Good	Yes	Remove (F)		20	
24	Douglas-fir	48	Good	Yes	Remove (F)		25	
25	Cherry	7,16	Poor	No	Remove (H)			Topped for power lines
26	Douglas-fir	9	Good	Yes	Remove (F)		5	
27	Douglas-fir	13	Good	Yes	Remove (F)		8	
28	Douglas-fir	38	Fair	Yes	Remove (F)		22	
29	Douglas-fir	44	Good	Yes	Remove (F)		25	
30	Douglas-fir	43	Good	Yes	Remove (F)		25	
31	Douglas-fir	30	Good	Yes	Remove (F)		18	
32	Ponderosa Pine	13	Fair	Yes	Remove (F)		8	
33	Douglas-fir	42	Good	Yes	Remove (F)		24	clear ivy

Tree #	Species	DBH (in.)	Condition	Tree Potential to Save*	Project Plan to Save/ Remove	Tree Units for Save Trees	Minimum Root Protection Zone if Saved (ft.)	Notes
34	Douglas-fir	28	Good	Yes	Remove (F)		15	
35	American Chestnut	26	Fair	Yes	Remove (F)		15	
36	Douglas-fir	36	Good	Yes	Remove (F)		20	
37	Douglas-fir	34	Good	Yes	Remove (F)		18	
38	Ponderosa Pine	24	Poor	No	Remove (H)			poor multi-top structure
39	Douglas-fir	22	Good	Yes	Remove (F)		14	
40	Douglas-fir	44	Good	Yes	Remove (F)		25	
41	Douglas-fir	32	Good	Yes	Remove (F)		18	
42	Douglas-fir	25	Fair	Yes	Remove (F)		14	
43	Douglas-fir	30	Good	Yes	Remove (F)		16	
44	Douglas-fir	36	Good	Yes	Remove (F)		20	
45	Douglas-fir	26	Fair	Yes	Remove (F)		15	
46	Douglas-fir	24	Fair	Yes	Remove (F)		14	
47	Douglas-fir	22	Fair	Yes	Remove (F)		14	
48	Douglas-fir	34	Good	Yes	Remove (F)		16	
49	Douglas-fir	19	Good	Yes	Remove (F)		12	
50	Douglas-fir	36	Fair	Yes	Remove (F)		20	
51	Douglas-fir	40	Good	Yes	Remove (F)		22	
52	Douglas-fir	6	Good	Yes	Remove (F)		6	
53	Douglas-fir	8	Good	Yes	Remove (F)		8	
54	Douglas-fir	10	Good	Yes	Remove (F)		8	
55	Douglas-fir	18	Good	Yes	Remove (F)		12	
56	Douglas-fir	14	Good	Yes	Remove (F)		8	
57	Douglas-fir	13	Good	Yes	Remove (F)		8	
58	Douglas-fir	40	Good	Yes	Remove (F)		22	
59	Douglas-fir	34	Fair	Yes	Remove (F)		18	
60	Cascara	16	Fair	Yes	Remove (F)			no tag, on adjacent property, needs Crown Reduction at property line
61	Douglas-fir	24	Good	Yes	Remove (F)		14	
62	Douglas-fir	24	Fair	Yes	Remove (F)		14	
63	Douglas-fir	28	Good	Yes	Remove (F)		15	
64	Bigleaf Maple	12	Fair	Yes	Remove (F)			no tag, on adjacent property, needs Crown Reduction at property line
65	Douglas-fir	28	Fair	Yes	Remove (F)		15	
66	Douglas-fir	16	Fair	Yes	Remove (F)		10	
67	Bigleaf	56	Very Poor	No	Remove (H)			poor tree with multiple

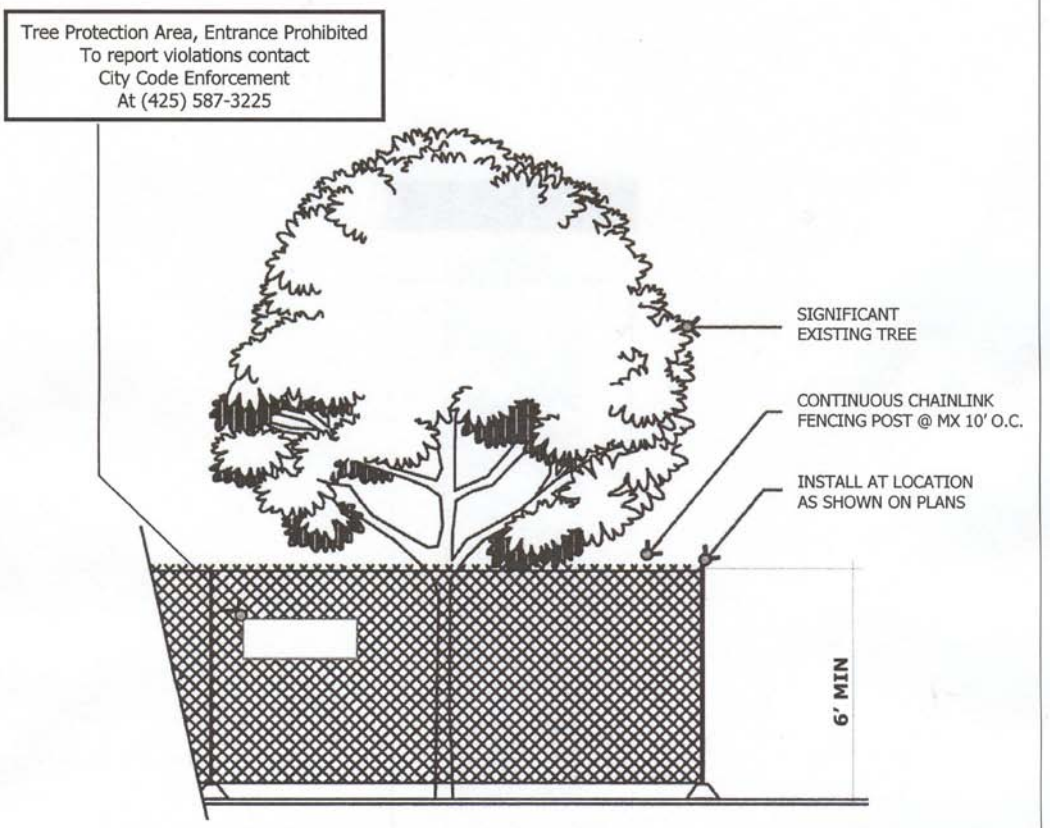
Tree #	Species	DBH (in.)	Condition	Tree Potential to Save*	Project Plan to Save/ Remove	Tree Units for Save Trees	Minimum Root Protection Zone if Saved (ft.)	Notes
	Maple							dead tops
68	Douglas-fir	24	Good	Yes	Remove (F)		14	
69	Douglas-fir	30	Good	Yes	Remove (F)		16	
70	Douglas-fir	24	Good	Yes	Remove (F)			no tag, on adjacent property
71	Douglas-fir	36	Good	Yes	Remove (F)		20	
72	Douglas-fir	36	Good	Yes	Remove (F)		20	
73	Cherry	6	Fair	Yes	Remove (F)		6	
74	Douglas-fir	32	Fair	Yes	Remove (F)		18	
75	Douglas-fir	34	Fair	Yes	Remove (F)		18	
76	Douglas-fir	26	Fair	Yes	Remove (F)		15	
77	Douglas-fir	34	Fair	Yes	Remove (F)		18	
78	Douglas-fir	26	Good	Yes	Remove (F)		15	
79	Douglas-fir	40	Good	Yes	Remove (F)		22	
80	Douglas-fir	28	Good	Yes	Remove (F)		15	
81	Douglas-fir	32	Good	Yes	Remove (F)		17	
82	Douglas-fir	40	Good	Yes	Remove (F)		22	
83	Douglas-fir	28	Good	Yes	Remove (F)		15	
84	Douglas-fir	41	Good	Yes	Remove (F)		22	
85	Douglas-fir	30	Good	Yes	Remove (F)		17	
86	Douglas-fir	30	Good	Yes	Remove (F)		17	
87	Cherry	7	Good	Yes	Remove (F)		5	
88	Douglas-fir	28	Good	Yes	Remove (F)		15	
89	Douglas-fir	34	Good	Yes	Remove (F)		19	
90	Douglas-fir	30	Good	Yes	Remove (F)		17	
91	Douglas-fir	34	Good	Yes	Remove (F)		19	
92	Douglas-fir	32	Good	Yes	Remove (F)		17	
93	Douglas-fir	24	Fair	Yes	Remove (F)		14	
94	Douglas-fir	28	Good	Yes	Remove (F)		15	
95	Douglas-fir	32	Good	Yes	Remove (F)		17	
96	Douglas-fir	40	Good	Yes	Remove (F)		22	
97	Douglas-fir	32	Good	Yes	Remove (F)		17	
98	Bigleaf Maple	16	Fair	Yes	Remove (F)			no tag, on adjacent property
99	Cottonwood	20,22	Fair	Yes	Remove (F)		12	
100	Douglas-fir	36	Good	Yes	Remove (F)		20	
101	Bigleaf Maple	36	Poor	No	Remove (H)			severe decay in stem
102	Bigleaf	18	Good	Yes	Remove (F)		10	

Tree #	Species	DBH (in.)	Condition	Tree Potential to Save*	Project Plan to Save/ Remove	Tree Units for Save Trees	Minimum Root Protection Zone if Saved (ft.)	Notes
	Maple							
103	Scotch Pine	10	Fair	Yes	Remove (F)			no tag, on adjacent property
104	Scotch Pine	7	Fair	Yes	Remove (F)			no tag, on adjacent property
105-123	Douglas-fir	7-20	Poor	No	Save		5-10	no tag, on adjacent property

*Based only on physical condition
**Remove (H) = Remove tree for health issues;
***Remove (F) = Remove tree for grading/footprint issues;

APPENDIX IV

Tree Protection Fence Detail



1. MINIMUM SIX (6) FOOT HIGH TEMPORARY CHAINLINK FENCE SHALL BE PLACED AT THE CRITICAL ROOT ZONE OR DESIGNATED LIMIT OF DISTURBANCE OF THE TREE TO BE SAVED. FENCE SHALL COMPLETELY ENCIRCLE TREE(S). INSTALL FENCE POSTS USING PIER BLOCK ONLY. AVOID POST OR STAKES INTO MAJOR ROOTS. MODIFICATIONS TO FENCING MATERIAL AND LOCATION MUST BE APPROVED BY PLANNING OFFICIAL.

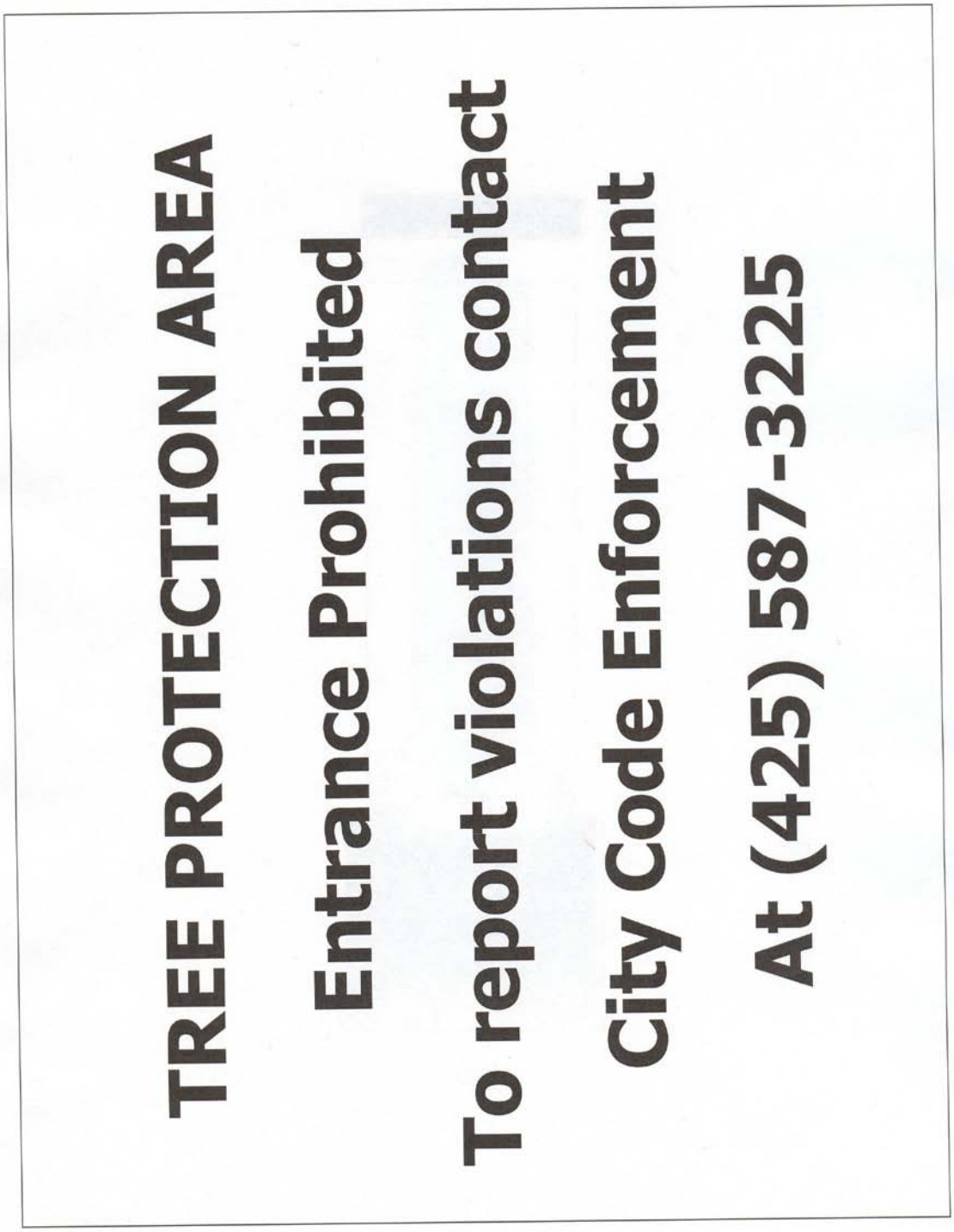
2. TREATMENT OF ROOTS EXPOSED DURING CONSTRUCTION: FOR ROOTS OVER ONE (1) INCH DIAMETER DAMAGED DURING CONSTRUCTION, MAKE A CLEAN STRAIGHT CUT TO REMOVE DAMAGED PORTION OF ROOT. ALL EXPOSED ROOTS SHALL BE TEMPORARILY COVERED WITH DAMP BURLAP TO PREVENT DRYING AND COVERED WITH SOIL AS SOON AS POSSIBLE.

3. NO STOCKPILING OF MATERIALS, VEHICULAR TRAFFIC, OR STORAGE OF EQUIPMENT OR MACHINERY SHALL BE ALLOWED WITHIN THE LIMIT OF THE FENCING. FENCING SHALL NOT BE MOVED OR REMOVED UNLESS APPROVED BY THE CITY PLANNING OFFICIAL. WORK WITHIN PROTECTION FENCE SHALL BE DONE MANUALLY UNDER THE SUPERVISION OF THE ON-SITE ARBORIST AND WITH PRIOR APPROVAL BY THE CITY PLANNING OFFICIAL.

4. FENCING SIGNAGE AS DETAILED ABOVE MUST BE POSTED EVERY FIFTEEN (15) FEET ALONG THE FENCE.

CITY OF KIRKLAND WASHINGTON

TREE PROTECTION FENCING DETAIL
(for public and private trees)


TREE PROTECTION AREA
Entrance Prohibited
To report violations contact
City Code Enforcement
At (425) 587-3225

APPENDIX V

Assumptions and Limiting Conditions

1) Any legal description provided to the Washington Forestry Consultants, Inc. is assumed to be correct. Any titles and ownership's to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.

2) It is assumed that any property is not in violation of any applicable codes, ordinances, statutes, or other governmental regulations, unless otherwise stated.

3) Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, Washington Forestry Consultants, Inc. can neither guarantee nor be responsible for the accuracy of information.

4) Washington Forestry Consultants, Inc. shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.

5) Loss or alteration of any part of this report invalidated the entire report.

6) Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of Washington Forestry Consultants, Inc..

7) Neither all or any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales or other media, without the prior expressed written or verbal consent of Washington Forestry Consultants, Inc. -- particularly as to value conclusions, identity of Washington Forestry Consultants, Inc., or any reference to any professional society or to any initialed designation conferred upon Washington Forestry Consultants, Inc. as stated in its qualifications.

8) This report and any values expressed herein represent the opinion of Washington Forestry Consultants, Inc., and the fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding in to reported.

9) Sketches, diagrams, graphs, and photographs in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.

10) Unless expressed otherwise: 1) information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and 2) the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed of implied, that problems or deficiencies of the tree or other plant or property in question may not arise in the future.

Note: Even healthy trees can fail under normal or storm conditions. The only way to eliminate all risk is to remove all trees within reach of all targets. Annual monitoring by an ISA Certified Arborist or Certified Forester will reduce the potential of tree failures. It is impossible to predict with certainty that a tree will stand or fail, or the timing of the failure. It is considered an 'Act of God' when a tree fails, unless it is directly felled or pushed over by man's actions.